



THE LONDON BOROUGH
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DATE: 12 January 2021

To: Members of the
PLANS SUB-COMMITTEE NO. 4

Councillor Richard Scoates (Chairman)
Councillor Simon Fawthrop (Vice-Chairman)
Councillors Marina Ahmad, Gareth Allatt, Aisha Cuthbert, Peter Dean, Nicky Dykes,
Kate Lymer and Michael Turner

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on
THURSDAY 21 JANUARY 2021 AT 6.00 PM

PLEASE NOTE: This is a 'virtual meeting' and members of the press and public can see and hear the Sub-Committee by visiting the following page on the Council's website – <https://www.bromley.gov.uk/councilmeetingslive> Live streaming will commence shortly before the meeting starts.

MARK BOWEN
Director of Corporate Services

Members of the public can speak at Plans Sub-Committee meetings on planning reports, contravention reports or tree preservation orders. To do so, you must have:-

- already written to the Council expressing your view on the particular matter, and
- indicated your wish to speak by contacting the Democratic Services team by no later than 10.00am on the working day before the date of the meeting.

These public contributions will be at the discretion of the Chairman. They will normally be limited to two speakers per proposal (one for and one against), each with three minutes to put their view across.

To register to speak please e-mail lisa.thornley@bromley.gov.uk (telephone: 020 8461 7566) or committee.services@bromley.gov.uk

If you have further enquiries or need further information on the content of any of the applications being considered at this meeting, please contact our Planning Division on 020 8313 4956 or e-mail planning@bromley.gov.uk

Information on the outline decisions taken will usually be available on our website (see below) within a day of the meeting.

Copies of the documents referred to below can be obtained from
<http://cds.bromley.gov.uk/>

A G E N D A

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 DECLARATIONS OF INTEREST

3 CONFIRMATION OF MINUTES OF MEETING HELD ON 12 NOVEMBER 2020 (Pages 1 - 6)

4 PLANNING APPLICATIONS

Report No.	Ward	Page No.	Application Number and Address
4.1	Shortlands Conservation Area	7 - 22	(20/03250/FULL6) - 32 Hayes Way, Beckenham BR3 6RL
4.2	Orpington	23 - 28	(20/03457/TPO) - 6 Sevenoaks Road, Orpington BR6 9JJ
4.3	Copers Cope	29 - 54	(20/03581/FULL1) - 77B Bromley Road, Beckenham BR3 5PA
4.4	Chislehurst Conservation Area	55 - 70	(20/03691/FULL6) - 7 Manor Place, Chislehurst BR7 5QH
4.5	Petts Wood and Knoll	71 - 84	(20/04071/FULL6) - 10 Silverdale Road, Petts Wood, Orpington BR5 1NJ

5 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page No.	Application Number and Address
	NO REPORTS		

6 TREE PRESERVATION ORDERS

Report No.	Ward	Page No.	Application Number and Address
	NO REPORTS		

The Council's [Local Planning Protocol and Code of Conduct](#) sets out how planning applications are dealt with in Bromley.

PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 6.00 pm on 12 November 2020

Present:

Councillor Richard Scoates (Chairman)
Councillor Simon Fawthrop (Vice-Chairman)
Councillors Gareth Allatt, Aisha Cuthbert, Peter Dean,
Nicky Dykes and Kate Lymer

5 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

No apologies for absence were reported. Following the meeting Councillors Ahmad and Turner sent apologies.

6 DECLARATIONS OF INTEREST

No declarations of interest were received.

7 CONFIRMATION OF MINUTES OF MEETING HELD ON 23 JULY 2020

RESOLVED that the Minutes of the virtual meeting held on 23 July 2020 be confirmed and signed as a correct record.

8 PLANNING APPLICATIONS

8.1 CRAY VALLEY WEST (20/00342/PLUD) - Land Adjacent 98 Grovelands Road, Ticehurst Close, Orpington

Description of application – Installation of a toilet hut serving the nearby bus stand for the use by bus staff.
LAWFUL DEVELOPMENT CERTIFICATE
(PROPOSED.)

Members having considered the report and objections, **RESOLVED THAT THE PROPOSED USE/ DEVELOPMENT IS LAWFUL and a CERTIFICATE OF LAWFULNESS BE GRANTED** as recommended, for the reasons set out in the report of the Assistant Director, Planning and Building Control.

8.2 ORPINGTON (20/01734/FULL1) - 65 Craven Road, Orpington BR6 7RU

Description of application – Demolition of existing dwelling and erection of 3 two storey 4 bedroom detached dwellings each with detached garage, with vehicular access to Plot 65c from Craven Road and to Plots 65a and 65b from Broad Walk.

Members having considered the report and objections, **RESOLVED NOT TO CONTEST THE APPEAL** as recommended, for the reasons set out in the report of the Assistant Director, Planning and Building Control and subject to the conditions in the report if the Inspector was minded to allow the appeal.

**8.3
PETTS WOOD AND KNOLL**

(20/03038/PLUD) - 25 Silverdale Road, Petts Wood, Orpington BR5 1NH

Description of application – Loft conversion with set back gable, barn hip and rear dormer and elevational alterations (Proposed Lawful Development Certificate).

Paragraph 7.7 on page 35 of the report was amended to read:- 'The resulting extensions volume falls within 50 cubic metres allowed in the case of a *semi-detached* dwelling (47.5 cubic metres).'

While Committee Member and Ward Member Councillor Fawthrop did not object to the application itself, he would like the applicant to consider the impact the design would have on the Area of Special Residential Character. Councillor Fawthrop's comments are attached as Annex A to these Minutes.

Members having considered the report, **RESOLVED that the APPLICATION BE DEFERRED without prejudice to any future consideration, to seek a planning application for a half-hip roof extension.**

**8.4
PETTS WOOD AND KNOLL**

(20/03136/PLUD) - 13 Silverdale Road, Petts Wood, Orpington BR5 1NH

Description of application – Loft conversion and roof alterations comprising of partial gable extension and rear dormer and elevational alterations – materials to match existing.

While Committee Member and Ward Member Councillor Fawthrop did not object to the application itself, he would like the applicant to consider the impact the design would have on the Area of Special Residential Character. Councillor Fawthrop's comments are attached as Annex A to these Minutes.

Members having considered the report, **RESOLVED that the APPLICATION BE DEFERRED without**

prejudice to any future consideration, to seek a planning application for a half-hip roof extension.

**8.5
PETTS WOOD AND KNOLL**

(20/03262/PLUD) - 14 Silverdale Road, Petts Wood, Orpington BR5 1NJ

Description amended to read:- Part hip to gable loft conversion with rear dormer LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED).

It was reported that the application had been amended by plans received on 23 and 29 October 2020.

While Committee Member and Ward Member Councillor Fawthrop did not object to the application itself, he would like the applicant to consider the impact the design would have on the Area of Special Residential Character. Councillor Fawthrop's comments are attached as Annex A to these Minutes.

Members having considered the report, **RESOLVED that the APPLICATION BE DEFERRED without prejudice to any future consideration, to seek a planning application for a half-hip roof extension.**

The meeting ended at 6.09 pm

Chairman

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COMMENTS MADE BY COMMITTEE MEMBER AND WARD MEMBER COUNCILLOR FAWTHROP FOR ITEMS 4.3, 4.4 AND 4.5

From the outset, I want to make it clear that in asking for this application to be deferred, I am not against the application, nor do I wish too unduly delay or frustrate residents who wish to improve their homes.

What I am asking the applicants is to consider their application and the impact it has upon the Area of Special Residential Character in which they live. In the past planning committees have worked with applicant to improve the design and improve the outcomes for both applicants and the community. For example Bayheath House (also a PD application) in Station Square which was deferred to ask the applicant to consider the design and improve the outlook for that area, as a result we have something much better.

I am doing exactly the same here, asking residents to reflect and consider if a half-hip planning application, which brings the roof line to the front rather than set back, but maintains the important attribute of the ASRC of visibility of the rear gardens as part of the Garden suburb design would be appropriate.

This will have the benefit of not only improving their properties, but keeping the look and feel of the ASRC intact. I am certain that residents are considerate of the wider community and the outlook for the street scene and will take this opportunity to pause, reflect and improve the design of these special houses.

I move deferral and ask the planners to write to the applicant explaining why.

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Agenda Item 4.1

Committee Date	21.01.2021	
Address	32 Hayes Way Beckenham BR3 6RL	
Application Number	20/03250/FULL6	Officer - Louisa Bruce
Ward	Shortlands	
Proposal	Two storey side and rear extension with roof alterations incorporating two new dormers to the side and alterations to existing garden patio and steps. Formation of rooms within the loft space including rooflights. Single storey front extension aligning with existing garage. All proposed materials and external features to match existing	
Applicant	Agent	
Mr And Mrs Evans	Mr Sammi Booz	
32 Hayes Way Beckenham BR3 6RL	25 Royal Albert Road Westbury Park Bristol BS6 7NX	
Reason for referral to committee	Councillor call in	
Side Space	No	

RECOMMENDATION	Application Permitted
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<p>KEY DESIGNATIONS</p> <p>Conservation Area: Park Langley Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 21</p>

Representation summary	A Conservation Area Site Notice was displayed on 18 th September 2020. Neighbours were notified of the original application on 16 th September 2020 and of the revised plans on 26 th November 2020.	
Total number of responses		4
Number in support		0
Number of objections		4

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character and appearance of the area.
- The development would have a neutral impact on the character and appearance of the Park Langley Conservation Area
- The development would not adversely affect the amenities of neighbouring residential properties

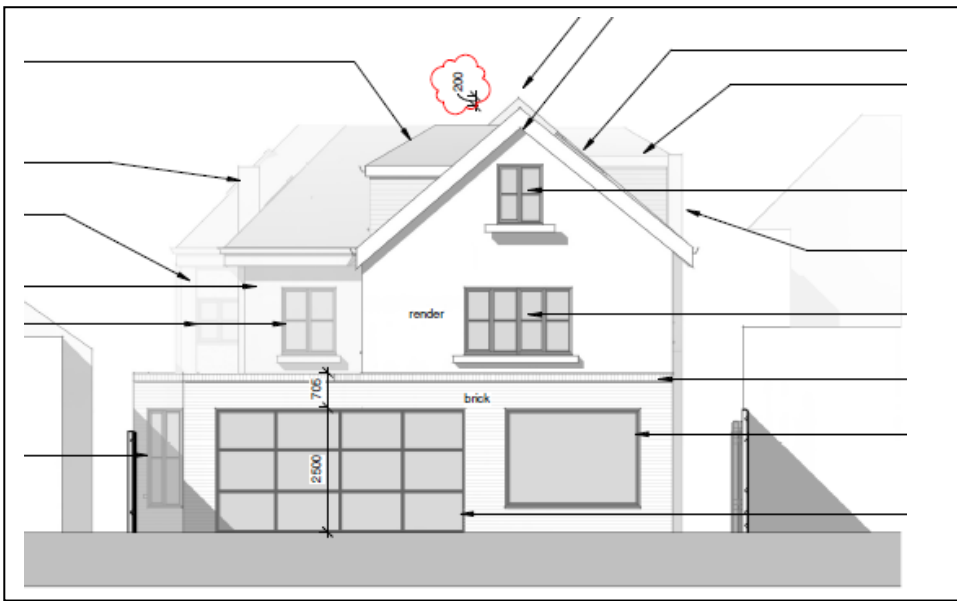
2. LOCATION

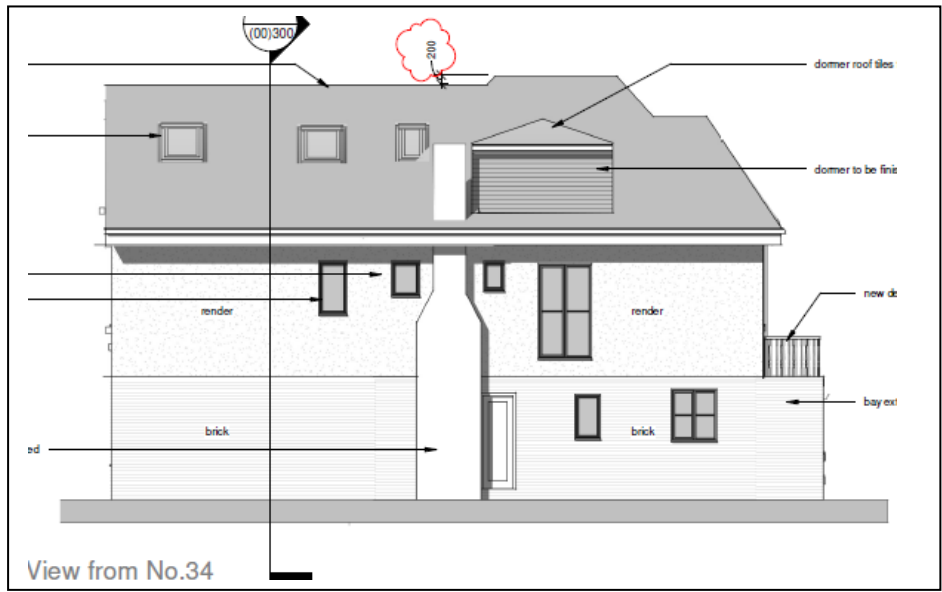
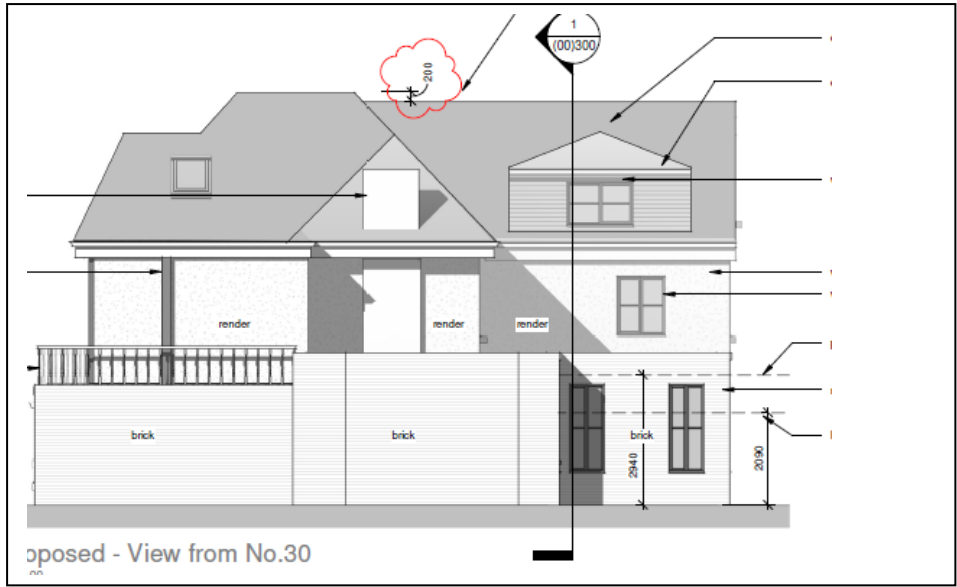
- 2.1 The application property is a traditional Arts and Crafts two storey detached residential dwelling, which is located on the south side of Hayes Way, Beckenham. The property is located within the Park Langley Conservation Area. The surrounding area is residential in character and comprises many larger detached properties.

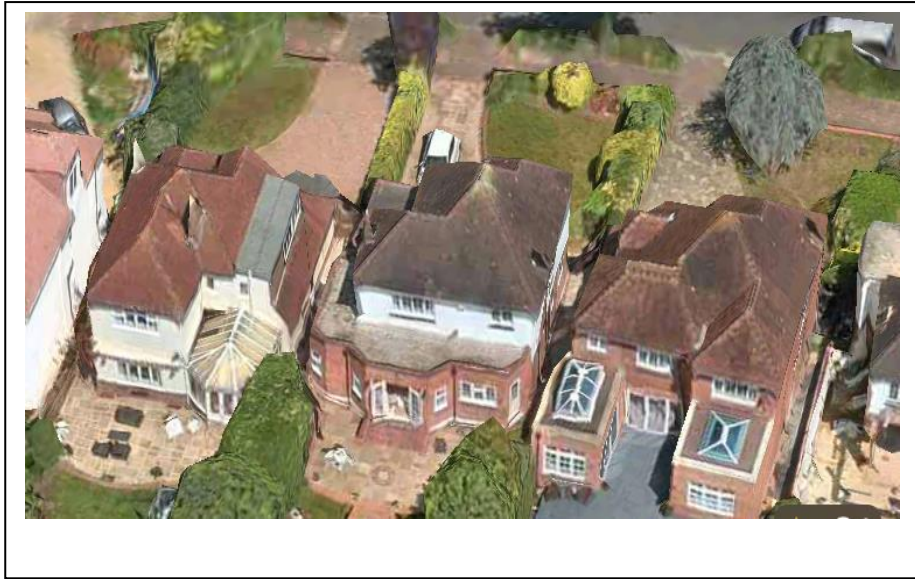


3. PROPOSAL

- 3.1 Planning permission is sought for a two storey side and rear extension with roof alterations incorporating two new dormers to the side. Formation of rooms within the loft space including roof lights. Single storey front extension aligning with existing garage. All proposed materials and external features to match existing dwellinghouse.
- 3.2 The proposed changes would involve enlarging the existing three bedroom dwellinghouse at the front, sides and rear to a five bedroom property with one bedroom in the roof space.
- 3.3 The application is accompanied by a Design, Access & Heritage Statement.
- 3.4 Revised drawings received on 25th November 2020.







4. RELEVANT PLANNING HISTORY

- 4.1 Under planning application ref: 86/01594/FUL planning permission was granted for a single storey front/side and rear extension.

5. CONSULTATION SUMMARY

A) Statutory

- **Conservation Officer** - This Edwardian house is an attractive non-designated heritage asset in the Conservation Area which is a designated heritage asset and any alterations must not be harmful or out of character.

The proposal from a Conservation Area point of view is now acceptable on balance. This proposal will have a neutral impact on the Conservation Area as the building is set back and therefore any views and oblique views are minimal.

B) Local Groups

No comments received from residents' groups.

C) Adjoining Occupiers (addressed in paragraphs 7.17-7.24)

Objections

1. Loss of privacy
 2. Overlooking
 3. Overshadowing
 4. Loss of light
 5. Loss of residential amenity
 6. Layout and density of building
 7. Overbearing impact
 8. Size
 9. Limited side space
- The proposed rear extension does not respect the scale of neighbouring properties and has an overbearing impact.
 - The roof alterations extend out significantly further than the end of the 2nd stories of other properties. All the properties are aligned and thus the proposed extension is not in keeping with the rest of the row of houses on the road.
 - Hugely overbearing and overshadows the back of our house.
 - Loss of natural light on top of single storey dining room
 - Limited space between the properties
 - Three large windows looking into our garden
 - Feels more like a third storey than a loft conversion, combined with the length we feel this will have an overbearing impact on our property and loss of privacy.

- Understand why the applicant wants to extend and are sympathetic to their needs, however we feel that the proposed plans for the rear and side extension in its current form is extremely detrimental to our property.
- Rear elevation overlooks our orangery & kitchen, therefore restricts privacy and natural light. It also directly overlooks our back patio, again restricting light & causing overshadowing and bares no regard for our privacy.
- The proposes for the front elevation will restrict light and privacy to first floor landing and bedroom windows and well as ground floor lounge windows.
- Neighbouring application for a recent orangery was refused due to scale and this was only a fraction of the size of this proposed development.

Full copies of all the objections letters are available to view on the on-line file.

6. POLICIES AND GUIDANCE

- 6.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.
- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.
- 6.3 The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.
- 6.4 The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2016) and Draft London Plan (2019). The NPPF does not change the legal status of the development plan.

Draft New London Plan

- 6.5 The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.

- 6.6 An updated 'Intend to Publish' version of draft London Plan – entitled Publication London Plan December 2020 - was published on 21 December 2020. This version of the draft plan includes changes made by the Mayor in response to a number of Directed Changes made by the SoS in March and December 2020. The relevant documents are available on the Mayor's website - <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/publication-london-plan>
- 6.7 The draft new London Plan (December 2020) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.
- 6.8 The draft New London Plan is at a very advanced stage; in a Written Ministerial Statement dated 15/12/2020, the SoS indicated that he expects to agree the London Plan with the Mayor early in the new year (early 2021).
- 6.9 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.
- 6.10 Prior to issuing further Directed Changes in December 2020, the SoS (in two SoS call-in appeals in the Royal Borough of Kensington and Chelsea, appeal ref: APP/C5690/W/18/3205926; and the London Borough of Hounslow, appeal ref: APP/G6100/V/19/3226914) had established that the draft London Plan policies are capable of having significant weight where they weren't subject to Directed Changes.
- 6.11 Considering this information against paragraph 48 of the NPPF, the draft new London Plan (December 2020 'Intend to Publish' version) is considered to have very significant weight where there are no Directed Changes to policies; and significant weight where there are Directed Changes to policies. Taking this into account, the draft new London Plan policies should be used to determine this planning application, alongside policies in the adopted Local Plan and adopted London Plan. Where there is conflict between the policies in the draft new London Plan and the policies in the adopted Development Plan, the draft new London Plan should generally be given primacy although this may vary from case to case.
- 6.12 Upon adoption of the new London Plan, it will become the most up-to-date Development Plan Document for the London Borough of Bromley, and therefore, in accordance with section 38(5) of the Planning and Compulsory Purchase Act 2004, "if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan."

6.13 The application falls to be determined in accordance with the following policies:

Draft London Plan

Policy D4 Delivering good design

London Plan

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage Assets

Bromley Local Plan

Policy 6 Residential Extensions

Policy 8 Side Space

Policy 30 Parking

Policy 37 General Design of Development

Policy 41 Conservation Areas

Policy 123 Sustainable Design and Construction

Supplementary Planning Guidance

Bromley's SPG No.1 - General Design Principles

Bromley's SPG No.2 - Residential Design Guidance

Park Langley Conservation Area SPG

7. ASSESSMENT

- **Design – Layout, scale height and massing - Acceptable**

7.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

7.2 London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

7.3 Policies 6 & 37 of the BLP and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respects the scale and appearance of host dwelling, neighbouring development and surrounding areas.

- 7.4 Policy 6 requires that dormer windows be of a size and design which is appropriate to the roof scape and sited away from prominent roof pitches, unless dormers are a feature of the area.
- 7.5 Policy 8 requires planning proposals for two or more storeys in height, including first floor extensions to retain a minimum 1 metre space from the side boundary for the full height and depth of the proposal. Further to this, where higher standards of separation already exist within residential areas, proposal will be expected to provide a more generous side space.
- 7.6 The Council considers that the retention of space around residential buildings essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. Furthermore, Policy 8 seeks to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas.
- 7.7 Policy 41 relates to development within Conservation Areas. This policy requires new development, including alterations and extensions to preserve the character and appearance the characteristics of the CA by respecting or complementing the layout, scale, form and materials of existing buildings and spaces.
- 7.8 The submitted ground floor plans indicate that the existing garage would remain whilst a first floor extension would be built on top of the existing garage to square off the property and provide an additional bedroom and en-suite to the property. The first front infill extension appears to be acceptable in design terms and the Conservation Officer has not raised any concerns. Overall this element of the proposal would be a subservient addition to the property and would appear to blend in with the wider street scene and would seek to preserve and enhance the character and appearance of the Conservation Area as well as maintaining a 1m side space to the boundary with No. 30. It is noted that the existing garage would remain in its existing position and as illustrated on the proposed floorplans a side space of only 0.6m would be maintained to the boundary at ground floor. Strictly speaking this would mean that the first floor development would not accord with Policy 8 (Side Space) which requires a full 1m side space at both ground and first floor. However, given the garage was built some years ago this arrangement is considered acceptable. The existing family room is shown to be converted to a study and playroom and extended by 1m in depth together with a new porch. The front extension and new porch is acceptable on the basis that it would mirror the building line of the garage (on the eastern boundary) which already sits forward of the main front building line of the property.
- 7.9 The main bulk of the development is proposed to the side and rear of the property. The submitted flank elevations illustrate that the property would result in significant changes to the scale and form of the host dwelling. The proposed ground floor floorplan illustrates that the existing kitchen and dining and living area will be increased in depth by 4.5m to create an enlarged kitchen, dining and living area. The part first floor rear extension extends for just over half the width of the property with the bulk of the extension lying closest to the boundary with No.34. The first floor rear extension extends to 5.6m in depth to create an additional bedroom.

The existing loft space would also be converted to create a fifth bedroom, ensuite, dressing room and store. The loft would have a pitched roof with two small dormer windows.

- 7.10 It is acknowledged that the extensions are sizeable; however they have been sensitively designed to respect the character of the host dwelling and it is considered that the proposed development would be subservient and would not detract from the character and appearance of the host building. An inspection of the Council's records show that a relatively large rear extension was permitted at No.28 Hayes Way.

- **Conservation - Acceptable**

- 7.11 The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.
- 7.12 Paragraph 196/197 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Within or adjacent to a Conservation Area:

- 7.13 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 7.14 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 7.15 The host property lies in the Park Langley Conservation Area. London Plan Policy 7.8 and Policy 41 of the Bromley Local Plan are relevant to this application. These policies seek to preserve and enhance the character and appearance of the Conservation Areas. The proposed development to the front and flank elevations would be visible from the streetscene. After initial objections to the proposed dormer windows revised plans were submitted which shows a reduction to the

proposed dormers in terms of their design and size. The Conservation Officer withdrew its previous objections.

7.16 It is considered that the proposed development with the revised plans would preserve the character and appearance of the Conservation Area.

- **Neighbourhood Amenity – Acceptable**

7.17 Policy 37 of the BLP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

7.18 Objection letters have been received from both neighbours; No.30 and No.34 Hayes Way. The first floor side extension and one of the side dormers would be set adjacent No.30 Hayes Way. No.30 has existing side dormers in the side elevation which appear to have habitable windows. A dormer window to the roof and a first floor window are shown to be inserted into the flank elevation of the side extension of No.32 these windows are all shown to be obscure glazed. Both windows serve bedrooms but as they would be considered secondary window the obscure glazing is considered acceptable.

7.19 It is not considered that the extension would not lead to a loss of privacy or overlooking between neighbours, however, the side and rear extensions would however involve additional bulk, scale and mass being added to the host property and result in a degree of visual impact. Part of the single storey extension would abut the shared boundary with No.30 but the rear part will be separated by a 1m side space. The first floor rear part of the development will also be set-in from the shared boundary by approximately 5m. On balance the neighbouring amenity to No.30 is not considered to be significantly affected.

7.20 No.34 is located to the west and appears to have been extended to the rear. The planning records show that planning permission was refused in 2019 and 2020 for “Loft conversion with roof alterations and the construction of side and rear dormers, together with a first floor extension to enlarge an existing bedroom”.

7.21 The planning history for No.34 outlines that planning permission was refused in April 2020 for a ‘Loft conversion with roof alterations and the construction of side and rear dormers, together with a first floor extension to enlarge an existing bedroom’. The reason for refusal was given as follows:

“The proposed first floor side extension as a result of its size and limited side space, together with the design, size, arrangement and scale of the dormers would result in a bulky and dominant form of development which fails to respect or complement the scale, appearance and character of the host dwelling and streetscene in general. It therefore fails to preserve or enhance the character and

appearance of the Conservation Area, being contrary to Policies 6, 8, 37 and 41 of the Bromley Local Plan (2019)".

- 7.22 A new application is currently pending consideration for a revised proposal at No.34.
- 7.23 No.34 appears to have existing side dormers which face towards the flank wall of No.32. although it is not clear if these are habitable windows. The main impact to No.34 will be the ground and first floor rear extensions. It is noted that No.34 has been extended to the rear but only single storey. The rear extensions to the first floor and loft would extend approximately 5.6m in depth and approximately 5m past the rear building line of No.34.
- 7.24 Whilst the added bulk, scale and mass added to the rear of the property will be visible to No.34 it is considered that 1m separation between the properties mean that it will not be so significant to warrant the refusal of the application.

CIL

- 7.25 The Mayor of London's CIL is a material consideration. CIL would not be payable on this proposal and the relevant forms should be submitted as part of any formal planning application.

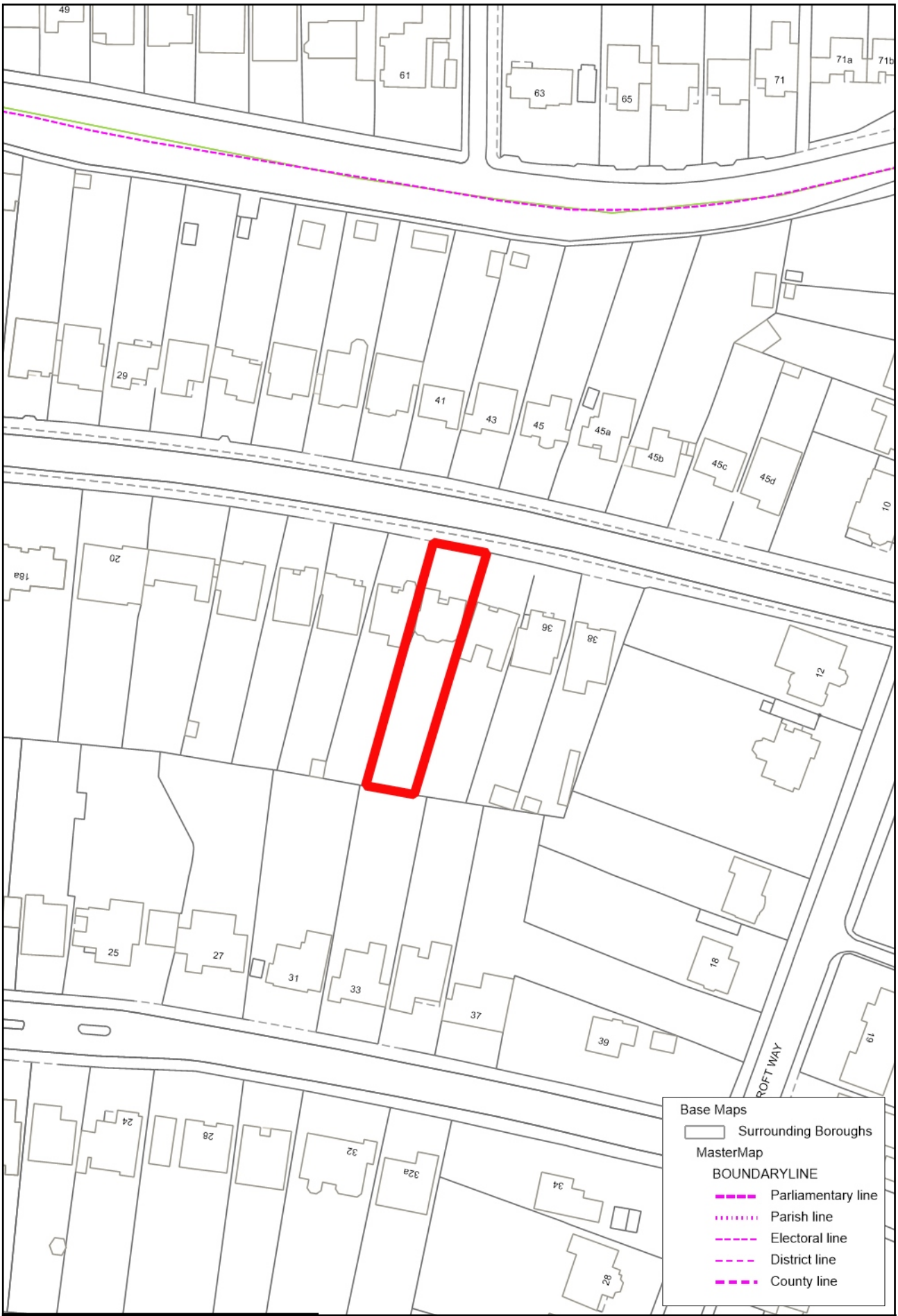
8. CONCLUSION

- 8.1 Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. The proposal is considered to preserve and enhance the character and appearance of the Conservation Area.
- 8.2 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: Application Permitted

Subject to the following conditions:

- 1. Standard time limit of 3 years**
- 2. Standard compliance with approved plans**
- 3. Materials as per plans**



Base Maps

- Surrounding Boroughs

MasterMap

BOUNDARYLINE

- Parliamentary line
- Parish line
- Electoral line
- District line
- County line

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Ordnance Survey 100017661.



20/03250/FULL6-32 Hayes Way
Beckenham
BR3 6RL



12 January 2021

1:1250



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Agenda Item 4.2

Committee Date	21.01.2021	
Address	6 Sevenoaks Road Orpington BR6 9JJ	
Application Number	20/03457/TPO	Officer Paul Smith
Ward	Orpington	
Proposal	T1 Horse Chestnut located on front boundary - Reduce elongating leader that originated from decaying scaffold branch on north side by no more than 2.5m. Remaining crown over road reduce elongating branches by no more than 0.5m to even crown shape when viewing the tree from the north side. Reduce elongating leaders on remaining crown by no more than 0.5m. SUBJECT TO TPO 388 (12.12.1986)	
Applicant Mr Mike Botting Orpington Conservative Association 6 Sevenoaks Road Orpington BR6 9JJ	Agent John Robinson Down to Earth Trees Ltd The Oast Preston Farm Shoreham Road Shoreham TN14 7UD	
Reason for referral to committee	Applicant is a Councillor.	Councillor call in No.
RECOMMENDATION	Consent	

KEY DESIGNATIONS SUBJECT TO TPO 388 (12.12.1986)
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Representation summary	No representations received.
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Total number of responses	0
Number in support	0
Number of objections	0

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- Part of the proposed pruning works is for sound risk management. The rest comprises very minor works that would have a very low impact on the tree's health and appearance, sufficiently low to be considered acceptable.

2 LOCATION

- 2.1 The site address comprises a detached building in residential street used by a political party. The Horse Chestnut (T1) is located on the front boundary with Sevenoaks Road and is subject of Tree Preservation Order (TPO) 388.

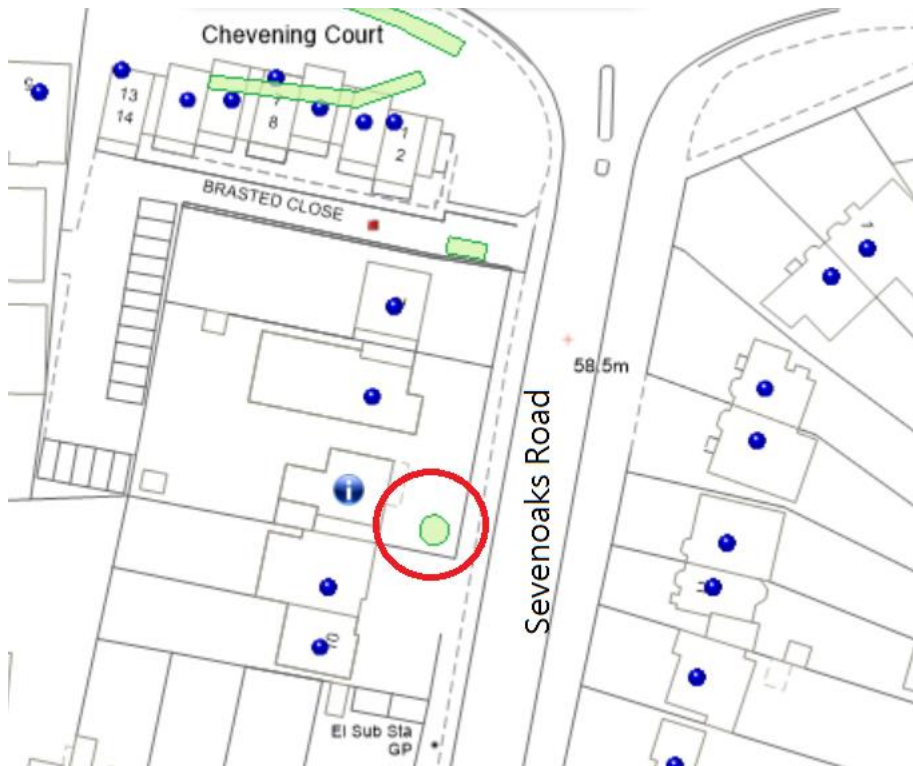


Figure 1 – 6 Sevenoaks Road



Figure 2 – Horse Chestnut (T1)

3 RELEVANT PLANNING HISTORY

3.1 No relevant history.

4 CONSULTATION SUMMARY

4.1 Due to current Corona Virus restrictions, a site notice was sent to the applicant to be displayed at the front of the property. Confirmation of the notice being displayed has not been received.

5 POLICIES AND GUIDANCE

5.1 National Policy Framework 2019

15. Conserving and enhancing the natural environment

5.2 The London Plan

7.21 Trees and Woodlands

5.3 Draft London Plan

G1 Green Infrastructure and Natural Environment
G7 Trees and Woodlands

5.4 Bromley Local Plan 2019

73 Development and Trees
74 Conservation and Management of Trees and Woodlands

5.5 The London Borough of Bromley Tree Management Strategy 2016-2020

Section 18

5.6 National Planning Guidance - Tree Preservation Orders and trees in conservation areas (Ministry of Housing, Communities and Local Government)

Paragraph 020 - 057

6 CONSIDERATIONS

6.1 Tree value

The tree subject to this application is located in a front garden on the boundary of a busy residential street. A full view from base to top of the crown is afforded from a considerable distance. Its value was recognised when protected as an individual tree by TPO in 1986.

6.2 Justification for works

This application arises from the contractor's recommendation for proportionate risk management.

6.3 Impact assessment

The proposed works would have a very low impact on tree health and a very low impact on tree appearance.

7 CONCLUSION

- 7.1 The proposed works are considered to be necessary and proportionate for the purpose of risk management and are considered acceptable.
- 7.2 Members are recommended to approve the application.

RECOMMENDATION: Consent

T1 Horse Chestnut located on front boundary - Reduce elongating leader that originated from decaying scaffold branch on north side by no more than 2.5m. Remaining crown over road reduce elongating branches by no more than 0.5m to even crown shape when viewing the tree from the north side. Reduce elongating leaders on remaining crown by no more than 0.5m.
SUBJECT TO TPO 388 (12.12.1986)

CONDITIONS

1. TL14 Tree Consent – Commencement

The tree works hereby granted consent shall be carried out within 2 years of the date of this decision.

Reason: In order to comply with Policy 73 of the Bromley Local Plan and in the interest of good arboricultural practice and the visual amenities of the area.

2. ND52 Tree Surgery

The work to the tree(s) hereby granted consent shall be carried out in accordance with British Standard 3998:2010 (Recommendations for Tree Work).

Reason: In order to comply with Policies 73 and 74 of the Bromley Local Plan and in the interest of good arboricultural practice and the visual amenities of the area.

INFORMATIVE

1. You are advised that formal consent is not required for the removal of deadwood, dangerous branches and ivy from protected trees.

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Agenda Item 4.3

Committee Date	21/01/2021	
Address	77B Bromley Road Beckenham BR3 5PA	
Application Number	20/03581/FULL1	Officer - Russell Penn
Ward	Copers Cope	
Proposal	Demolition of existing single family dwelling and construction of 8 new flats with associated landscaping and communal gardens.	
Applicant	Agent	
Mr Pourya Akbari	Mr Nick Smith	
The Stables 23b Lenten Street Alton GU34 1HG	33 Newman Street London W1T 1PY	
Reason for referral to committee	Councillor call in	
Controversial	No	

RECOMMENDATION	Application Refused.
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 12</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	C3 (single family dwelling)	254.5

Proposed	C3 (residential flats)	708.1
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Residential Use – See Affordable housing section for full breakdown including habitable rooms

	Number of bedrooms per unit				
	1	2	3	4 Plus	Total / Payment in lieu
Market	2	5	1		8
Affordable (shared ownership)					0
Affordable (social rent)					0
Total	2	5	1		8

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	3	8	5
Disabled car spaces	0	0	0
Cycle	0	16	16

Electric car charging points	Percentage or number out of total spaces 0
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Representation summary	Neighbour letters were sent on 15/10/2020. An Article 13 site notice was displayed 21/10/2020	
Total number of responses	7	
Number in support	1	
Number of objections	6	

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would result in significant harm to the character and appearance of the area and surrounding development.
- The development would be harmful to the residential and private amenities of neighbouring property and visual amenities of the area.
- The development would have a serious and adverse overbearing effect on the residential amenity enjoyed by the occupants of neighbouring property to the flank boundaries.
- The development would have a serious and adverse effect on the privacy and amenity enjoyed by the occupants of neighbouring property.
- The development would fail to provide a satisfactory layout and standard of good quality accommodation for future occupiers.
- The development fails to take particular account of the impact to and wellbeing of existing trees on the site and on adjoining land and the quality and character of the local landscape.

2 LOCATION

- 2.1 The application site is located on the north side of Bromley Road and comprises a traditionally styled mid-century detached property. The property is twinned with No77A to the west and takes a handed format to its neighbour. To the east is a large Victorian period building known as Coleridge House currently divided into 13 flats and a separate dwelling at No79A.
- 2.2 The land slopes slightly to the rear of the site. The site is not located in a conservation area nor is the building listed.

Existing site layout.



3 PROPOSAL

- 3.1 Planning permission is sought for the demolition of the existing single family dwelling and construction of 8 new flats with associated landscaping and communal gardens.
- 3.2 The proposals are for 8 new unit residential units in a single block. Unit mix will include 2 x 1 bed flats, 2 x 2 bed duplex, 3 x 2 bed and 1 x 3 bed flats.
- 3.3 The proposed building would face to Bromley Road with a central front entrance to upper floor flats and separate side elevation entrances to front ground floor flats and rear duplex ground and lower ground floor flats.
- 3.4 The building footprint would sit forward of adjacent buildings at 77A and 79/79a Bromley Road. The building would have a width of approximately 11.65m and depth of 19m at its maximum ground floor extents. The building is 3 storeys above ground level with the second floor accommodation situated in a part setback arrangement and additional rear basement lower ground level. To the front elevation a central area partly overhangs the ground floor elevation to create a shared front balcony area to flats 5, 6, 7 and 8. The additional projection depth is approximately 1.3m.
- 3.5 To the rear the building would project further back than the original footprint of the existing building by some 5.5m to No77A Bromley Road, if the existing buildings lightweight conservatory structure is discounted but would align with the rear section of the existing building at No 79/79a Bromley Road.
- 3.6 The building has a height of approximately 9m to the front elevation and marginally increases to the rear due to site topography. A distance of approximately 1.2m side space would be retained to the west flank boundary of the site with No77A and similarly 1.2m to the east flank boundary with No79a. The buildings front ground floor datum height is approximately 300mm lower than the level of the existing building. To the rear the lower ground floor reduces the existing level by approximately 2.3m.
- 3.7 Balcony style terraces are proposed to the front elevation at first and second floor level and to the rear at second floor level. Private sunken terrace/garden areas are indicated for the rear ground and lower ground floor duplex flats. A communal garden area is indicated to the remaining rear curtilage.
- 3.8 A parking area for eight spaces is indicated to the front curtilage accessed from a repositioned offset crossover. A bin storage area will be located to the front of the site in an enclosure adjacent to Bromley Road. Two bike storage areas are indicated in the communal rear curtilage adjacent to both flank boundaries accessed along both sides of the building.
- 3.9 The external walls will comprise fair-faced brickwork in Flemish bond with deep window recesses and inset panels to match the roof. The roof will comprise a slate panel system in large format tiles with deep recess openings. The slate system is to be used elsewhere on the elevations. Fenestration will comprise large format, minimal frame powder coated aluminium in bronze effect within deep recessed apertures

3.10 The external curtilage will be soft and hard landscaped with some areas of planting to the peripheral flank and rear boundary.



Existing front elevation streetscene view.



Proposed front elevation impression.

4 RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 Under ref. 90/02655/FUL planning permission was granted for a single storey extension.

5 CONSULTATION SUMMARY

A) Statutory

Environmental Health (Pollution) – No objection

- In summary, no objections within the grounds of consideration.
- Further details to be sought by planning condition in respect of Construction and Environmental Management Plan.
- The application site is located within an Air Quality Management Area declared for NOx. Therefore any gas boilers must meet a dry NOx emission rate of <40mg/kWh to minimise the effect of the development on local air quality within an Air Quality Management Area.
- An acoustic assessment is recommended to be submitted to the Local Planning Authority for approval in writing prior to commencement of the development.
- The location is relatively close to a station, on a busy road and an acoustic assessment will be valuable in determining the internal noise levels. Therefore an acoustic assessment shall be submitted to the Local Planning Authority for approval in writing prior to commencement of the development. The assessment shall determine the worst-case day time and night time ambient background noise levels affecting this location and predict the internal levels in the proposed residential dwellings. A scheme of mitigation, as necessary in light of the results of assessment, (covering façade, glazing and ventilation specifications to achieve suitable internal noise levels in line with guidance in BS8233:2014) shall be submitted to the Local Planning Authority for written approval prior to commencement of the development and once approved shall be installed fully in accordance with the approved scheme and permanently maintained thereafter.
- If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

Drainage Engineer – No objection

- There is no public surface water sewer near the site. As such the applicant need to make their own arrangement as how to dispose of surface water run-off. Further details regarding SUDS to be sought by planning condition.

Highways – No objection

- The site is located to the north of Bromley Road. Bromley Road(A222) is a Local Distributor Road (LDR) carrying large volume of traffic.

- The developer is proposing a new access arrangement leading to the carparking area. This is acceptable in principle only. However, there is a street tree which is too close to the entrance which may interfere with the tree roots. Therefore, the Arboricultural Team should be consulted. Moreover, the existing crossover should be reinstated to the footway level at the applicant's cost.
- Eight car parking spaces would be provided which is acceptable. Cycle parking, a cycle store indicated. Sixteen cycle parking spaces are required. Bin store is indicated and acceptable.

Tree Officer – Objection

- The site is free of tree protective legislation. The tree survey has revealed a number of low category trees. In terms of British Standard guidance, such low categories should not act as a development constraint.
- That said the design and access does not appear to have respected existing tree features. The design and access needs to be reviewed to best allow for tree retention. To allow such a high amount of tree loss at the site would conflict with local policy objectives. The proposed new access and associated hard landscaping is considered overbearing.
- The application conflicts with Policies 37 and 73 of the Bromley Local Plan (adopted January 2019). I would therefore recommend refusal.

B) Local Groups

None received.

C) Adjoining Occupiers

Objection:

Character (addressed in para 7.3.1 to 7.3.21)

- Period property. Loss of building detrimental to the area.
- Style and appearance of the development is not in keeping with the adjacent properties and surrounding areas.
- Inappropriate and visually obtrusive development detrimental to the character and visual amenities of the locality.
- Design is more suitable to inner-city areas and not to the suburban area the property is situated in. Design has no respect to surrounding designs.
- Concerns with loss of single family house to a further block of flats without character. Need to retain family housing in the area.
- Oversized windows are not apparent in the area.
- Materiality different to neighbouring property.
- Roofscape not in keeping with locality.
- Flats are small and 'squeezed' onto the plot and will result in overcrowding.

Neighbouring Amenity (addressed in para. 7.6.1 to 7.6.7)

- Large amount of glazing will affect neighbouring privacy.
- Will reduce lighting to neighbours and gardens.
- Concerns with overlooking to neighbouring property.

Highways and parking (addressed in para 7.5.1 to 7.5.7)

- Concerns regarding impacts of more flats and residents on road safety.
- Concerns the increased use of the access will be dangerous.
- Concerns the parking area is constrained for vehicle manoeuvring, refuse and charging vehicles.

Noise and disturbance (addressed in para. 7.6.7)

- Concerns regarding noise and disturbance from the construction process.

Trees (addressed in para 7.8.1 to 7.8.4)

- The development will impact roots of an early mature oak tree.

Other comments

- Concerns with impacts of more flats on health infrastructure.

Support Comments:

- Good use of site to have modern purpose built flats. Preference to poor conversions.
- Design compares favourably with other flats and less attractive recent developments.

6 POLICIES AND GUIDANCE

6.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

6.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

6.3 The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

- 6.4 The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.
- 6.5 The. The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.
- 6.6 An updated 'Intend to Publish' version of draft London Plan – entitled Publication London Plan December 2020 - was published on 21 December 2020. This version of the draft plan includes changes made by the Mayor in response to a number of Directed Changes made by the SoS in March and December 2020. The relevant documents are available on the Mayor's website - <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/publication-london-plan>
- 6.7 The draft new London Plan (December 2020) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.
- 6.8 The draft New London Plan is at a very advanced stage; in a Written Ministerial Statement dated 15/12/2020, the SoS indicated that he expects to agree the London Plan with the Mayor early in the new year (early 2021).
- 6.9 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.
- 6.10 Prior to issuing further Directed Changes in December 2020, the SoS (in two SoS call-in appeals in the Royal Borough of Kensington and Chelsea, appeal ref: APP/C5690/W/18/3205926; and the London Borough of Hounslow, appeal ref: APP/G6100/V/19/3226914) had established that the draft London Plan policies are capable of having significant weight where they weren't subject to Directed Changes.
- 6.11 Considering this information against paragraph 48 of the NPPF, the draft new London Plan (December 2020 'Intend to Publish' version) is considered to have very significant weight where there are no Directed Changes to policies; and significant weight where there are Directed Changes to policies. Taking this into account, the draft new London Plan policies should be used to determine this planning application, alongside policies in the adopted Local Plan and adopted London Plan. Where there is conflict between the policies in the draft new London Plan and the policies in the adopted Development Plan, the draft new London Plan should generally be given primacy although this may vary from case to case.

6.12 Upon adoption of the new London Plan, it will become the most up-to-date Development Plan Document for the London Borough of Bromley, and therefore, in accordance with section 38(5) of the Planning and Compulsory Purchase Act 2004, “if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.”

6.13 The application falls to be determined in accordance with the following policies:

The London Plan (2016)

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.7 Location and Design of Tall and large Buildings
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands
- 8.3 Community Infrastructure Levy

6.14 Draft London Plan

D1	London's form and characteristics
D3	Optimising site capacity through the design-led approach
D4	Delivering good design
D5	Inclusive design
D6	Housing quality and standards
D7	Accessible housing
D11	Safety, security and resilience to emergency
D12	Fire safety
D13	Agent of change
D14	Noise
H1	Increasing Housing Supply
H2	Small sites
H5	Threshold Approach to application
H8	Loss of existing housing and estate redevelopment
H9	Ensuring the best use of stock
H10	Housing Size Mix
S4	Play and informal recreation
G5	Urban greening
G6	Biodiversity and access to nature
G7	Trees and woodlands
SI1	Improving air quality
SI4	Managing heat risk
SI5	Water infrastructure
SI7	Reducing waste and supporting the circular economy
SI12	Flood risk management
SI13	Sustainable drainage
T2	Healthy Streets
T3	Transport capacity, connectivity and safeguarding
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car parking
T6.1	Residential Parking
T7	Deliveries, servicing and construction

6.15 Bromley Local Plan (2019)

1	Housing supply
4	Housing design
8	Side Space
30	Parking
32	Road Safety
33	Access for All
34	Highway Infrastructure Provision
37	General design of development
73	Development and Trees
77	Landscape Quality and Character
112	Planning for Sustainable Waste management
113	Waste Management in New Development

- 115 Reducing flood risk
- 116 Sustainable Urban Drainage Systems (SUDS)
- 117 Water and Wastewater Infrastructure Capacity
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

6.16 Supplementary Guidance

Housing: Supplementary Planning Guidance. (March 2016)
 Technical housing standards - Nationally Described Space Standard (March 2015)
 SPG1 General Design Principles
 SPG2 Residential Design Guidance
 National Design Guide – (September 2019)

7 ASSESSMENT

7.1 Principle of Development – Acceptable

- 7.1.1 The current position in respect of Bromley’s Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 24th September 2020. The current position is that the FYHLS (covering the period 2020/21 to 2024/25) is 2,690 units, or 3.31 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.
- 7.1.2 The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.1.3 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.1.4 Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

7.1.5 Policies including 3.3 of The London Plan 2016 and Policy 1 of the Bromley Local Plan have the same objectives. The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025. The new/intended to published London Plan's minimum target for Bromley will be increased to 774 new homes a year.

7.1.6 This application includes the provision of eight residential dwellings and would represent a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

7.1.7 The site is currently developed for a single unit of occupancy for residential use. In this location the Council will, however, consider a higher density residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore, the provision of greater number of housing units on the land as opposed to a single dwelling appears acceptable in principle subject to an assessment of the impact of the proposal on the level of density of the units, unit mix, appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

7.2 Density/Housing Mix – Acceptable

- Optimising Sites:

7.2.1 London Plan Policy 3.4 and Local Plan Policies 4 & 37 accord with paragraph 127 of the National Planning Policy Framework, which requires development to be sympathetic to local character whilst optimising the potential of sites.

7.2.2 Policy H1 Increasing Housing Supply (clause B 2) of the new London Plan states that to ensure housing targets are achieved boroughs should optimise the potential

for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. Policy 1 of the Local Plan and Policy H1 of the new London Plan set the context in the use of sustainable brownfield sites for new housing delivery.

7.2.3 The draft new London Plan does not include a prescriptive density matrix (as set out in the adopted London Plan) and instead promotes a design-led approach to optimise the capacity of sites.

7.2.4 Policy D3 Optimising site capacity through the design-led approach (new London Plan) sets out in Clause A that:

7.2.5 A. All development must make the best use of land by following a design led approach that optimises the capacity of sites, including site allocations. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part B.

7.2.6 Policy D3B sets out the specific design considerations that should be factored into any design assessment. Specific density measures such as the number of units per hectare are still relevant as part of the assessment of design but they are not determinative in and of themselves. Policies D2 and D4 are also relevant to any assessment of development proposals, including whether the necessary infrastructure is in place to accommodate development at the density proposed.

7.2.7 The proposed development would have a density of approximately 94 dwellings per hectare at the indicated site area of 0.085ha. This is considered an acceptable amount of development in principle at this location given the available site area.

- Housing mix

7.2.8 Policy H10 Housing size mix of the draft London Plan states that schemes should generally consist of a range of unit sizes and regard should be had to local evidence of need.

7.2.9 Local Plan Policy 1 Supporting Text (paras 2.1.17 and 2.1.18) highlight findings from the 2014 Strategic Housing Market Assessment (SHMA) that the highest level of need across tenures within the Borough up to 2031 is for one bedroom units (53%) followed by 2 bedroom (21%) and 3 bedroom (20%) units. Larger development proposals (i.e. of 5+ units) should provide for a mix of units sizes and considered on a case by case basis.

7.2.10 The pre application proposes 2 x 1 bedroom flats, 2 x 2 bedroom duplex, 3 x 2 bedroom and 1 x 3 bedroom flats units which is considered an acceptable mix at this location.

7.3 Design – Unacceptable

- 7.3.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 7.3.2 Paragraph 124 of the NPPF (2019) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.3.3 Paragraph 127 of the NPPF (2019) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.3.4 The National Design Guide (September 2019) makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. It seeks to illustrate how well-designed places that are beautiful, enduring and successful can be achieved in practice.
- 7.3.5 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.3.6 Policies 3.4 and 3.5 of the London Plan reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 127 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.
- 7.3.7 The public realm is also an important aspect of any development as it ensures that the development is integrated into and enhances the existing character and use of the area. All residential and commercial development is required by policy to contribute towards good design which extends to the consideration of the public realm (London Plan Policy 7.5).

- 7.3.8 Policies 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; is informed by the surrounding historic environment.
- 7.3.9 Policy 7.6 states that buildings and structures should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm; comprise details and materials that complement, not necessarily replicate, the local architectural character; not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- 7.3.10 Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places respecting local character, spatial standards, physical context and density. To summarise the Council will expect all of the following requirements to be demonstrated: The site layout, buildings and space around buildings be designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas; compliance to minimum internal space standards for dwellings; provision of sufficient external, private amenity space; provision of play space, provision of parking integrated within the overall design of the development; density that has regard to the London Plan density matrix whilst respecting local character; layout giving priority to pedestrians and cyclists over vehicles; safety and security measures included in the design and layout of buildings; be accessible and adaptable dwellings.
- 7.3.11 Policy 8 of the Local Plan details that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.
- 7.3.12 Policy 37 of the Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants;

be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.

- 7.3.13 The area is characterised by a mixture of mainly detached dwellings and larger Victorian villas (some converted to flats) on the application site side of Bromley Road and west of Downs Bridge Road. It is this immediate locality that the site relates to in context. Other contemporary designed redevelopment schemes further to the east beyond Downs Bridge Road are not considered to substantially influence the immediate context of the application site.
- 7.3.14 In relation to the application site the existing property comprises a medium sized detached building that has a relatively subservient relationship to the streetscene and within the plot that is located. The existing building is mid 20th century but has been designed in a traditional manner. The existing building has a pleasing character, particularly given its twinning but handed relationship with its neighbour at No77A which while not having any particular heritage status does provide a unique and pleasing townscape to Bromley Road at this juncture.
- 7.3.15 A generous spatial separation between boundaries due to the positioning of adjacent properties also allows views between properties through to greenery at the rear of the site and with a verdant and sylvan front curtilage results in an established relationship between the site and adjacent sites that contributes to the character and appearance of the area that it is considered desirable to maintain at this locality. The design and scale of the existing building is therefore a starting point to consider with regard to any suitable replacement building on the site as this represents the local context, massing and character of the locality.
- 7.3.16 The proposed replacement building would be of a substantial size and massing in comparison to the immediate locality in terms of neighbouring property that the site relates to. The proposed design of the apartment building has a part set back top level which gives the building a top heavy appearance and dominating scale. The design is bulky and unrelated to the building it replaces and those adjacent. The footprint is also essentially deeper and wider with the footprint of the proposed building tracing the maximum extents of the original footprint including the existing single storey conservatory extension and is also set forward of the ground floor building line accentuated by a projecting upper level central forward projection.
- 7.3.17 The existing property is a two storey detached house, so is of much lesser overall bulk and massing. Therefore, such factors raise significant concern that the level of development being sought (in this case 8 flats and notwithstanding the density measurements), is likely to be inappropriate on this site given the need to respond to local character and reinforce local distinctiveness. As such the depth, width, height, bulkiness and massing of the building would appear as out of keeping with the prevailing character of other existing development in the locality of this immediate section of Bromley Road.
- 7.3.18 Whilst the distance of the proposed building to the side boundaries of the site would have similarities to that of other properties complying numerically with Policy 8, the massing of the building across a substantially larger width taking in to account the proximity of the upper levels and infill of currently void air space would result in the

building appearing as unacceptably dominant and incongruous within the streetscene.

7.3.19 It is noted that there is some variety in the designs of infill development in the wider vicinity of the site on Bromley Road. However, the overall size, scale, height, massing and bulky design of the proposed building in this case, would be out of character with that of existing development in the locality resulting in significant harm to the character and appearance of the area.

7.3.20 Paragraph 7.21 of the London Plan states that architecture should contribute to the creation of a cohesive built environment that enhances the experience of living, working or visiting in the city. This is often best achieved by ensuring new buildings reference, but not necessarily replicate, the scale, mass and detail of the predominant built form surrounding them, and by using the highest quality materials. Contemporary architecture is encouraged, but it should be respectful and sympathetic to the other architectural styles that have preceded it in the locality.

7.3.21 In terms of the design approach of the new building, the scheme has been designed in a contemporary manner. As detailed above the context of the site relates to its immediate locality and adjoining property and therefore this approach is not considered to be in keeping with the character of the area in respect of the context that the site relates to.



Proposed front elevation against existing building (red)

7.4 Standard of Residential Accommodation – Unacceptable

7.4.1 In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building

Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

- 7.4.2 Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity for future occupiers. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Technical Housing Standards.
- 7.4.3 The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.
- 7.4.4 A Part M compliance paragraph has been submitted as part of the Design and Access Statement that details compliance with the relevant sections of Part M. A compliance condition is recommended with any permission in this regard.
- 7.4.5 The floor space size of each of the residential units ranges between 50.7m² and 90.4m² respectively over single levels and duplex levels accordingly. The nationally described space standard requires various sizes of a GIA depending on the number of bedroom and persons intended. The sizes of the flats have been reviewed on this basis. The floorspace provision for all of the units is compliant with the required standards and is considered acceptable.
- 7.4.6 The shape and room size in the proposed flats is generally considered satisfactory where none of the rooms would have a particularly convoluted shape which would limit their specific internal use by occupiers.
- 7.4.7 However, the layout of the flats appears to have a number of shortcomings. Flats 1 and 2 (duplex) have lower ground floor living spaces with a level outlook of only 2.1m to the first tier of planting in the lower lightwell area. This results in a poor quality of outlook to views of sky and surroundings and is not considered a quality environment for future occupiers regardless of whether light ingress is acceptable.
- 7.4.8 Flats 3 and 4 will have mainly front outlook over the hard surfaced car parking area with minimal defensible space and landscaping mitigation potential. Flats 3 and 4 also have flank outlook to bedrooms that directly face the side access passages to other flats. This is likely to result in a considerable degree of loss of privacy and noise and disturbance to future occupiers. Bedroom 3 of flat 6 is also similarly arranged in this way.

7.4.9 Flats 5, 6, 7 and 8 appear to have a shared front balcony which would not create a private amenity space.

7.4.10 Flats 7 and 8 second bedrooms would have a narrow rear facing window that would appear inadequate for suitable outlook and light ingress.

7.4.11 The design of all new dwellings should also take account of factors relating to 'arrival' at the building. Entrances should be visible, clearly identifiable, and directly accessible from the public realm. The access to flats 1, 2, 3 and 4 would be via side access ways on both flank boundaries which are not considered desirable. The accessways as proposed are narrow and it is reiterated that there are bedroom windows that would directly face the access. The arrangement is not considered suitable in all respects.

7.5 Highways – Acceptable

7.5.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.5.2 The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

7.5.3 London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.

- Car parking and access

7.5.4 The Council's Highway Officer has reviewed the current application and not raised any objection to the level of parking provided at the site and access arrangements to and from the site in principle. However, some concerns have been raised regarding the proximity of the new access to a street tree in the public footway in close proximity. Had permission been forthcoming further information would have been sought in this regard.

7.5.5 Electrical car charging points should be provided as per the requirements of the London Plan. A condition for further details and requiring installation prior to occupation is recommended in this regard had permission been forthcoming.

- Cycle parking

7.5.6 Cycle parking is required to be one space per one bed unit and two for the other units as proposed. The applicant has provided details of two locations for cycle storage for the development. A planning condition is recommended in this regard for further details of containment structures had permission been forthcoming.

- Refuse storage

7.5.7 All new developments shall have adequate facilities for refuse and recycling. A refuse storage area for the development in close proximity to the front curtilage footpath will be provided. A planning condition is recommended in this regard for further details of a containment structure and capacity had permission been forthcoming.

7.6 Neighbouring Amenity – Unacceptable

7.6.1 Policy 37 of the Bromley Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

7.6.2 Policy 4 of the Bromley Local Plan also seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

7.6.3 In terms of outlook, the fenestration arrangement will provide front, rear and flank outlook from habitable room windows.

7.6.4 Concerns have been raised regarding the loss of privacy and overlooking to the gardens of adjacent properties. It is considered that a substantial increase in direct overlooking and loss of privacy will result from both front and rear elevations of the building from rear large windows and external balconies, amplified by the increased intensity of occupation of the site. The outlook from the upper level flank window to Flat 6 is also considered to cause overlooking and a loss of privacy.

7.6.5 The adjoining property at No77A has rear facing windows within the main rear elevation of the building. In relation to No77A the current front and rear alignments of the existing buildings create a harmonious relationship in terms of massing. The proposed building would extend some 5.5m beyond the main rear elevation of No77A. It is noted that the rear elevation position is designed to comply with the 45dg rule of thumb in terms of massing, also involving a stepped footprint to comply. However, the arrangement is considered overbearing and will increase overbearing massing to No77A unacceptably given the northern facing rear curtilage.

7.6.6 Therefore, notwithstanding the above concerns in respect of the scale of the building on the character and appearance of the locality it is also considered that the proposed building would be detrimental to neighbouring amenity due its overbearing scale and dominance.

7.6.7 Consideration is also made in respect of the level of occupation of the site in that noise and disturbance will increase due to the increase in intensity of its density use especially with use of the balconies proposed. On balance there will be an increased impact of this nature, however, in a suburban environment the increase in terms of noise only is not considered unduly unacceptable at this location.

7.7 Sustainability - Acceptable

7.7.1 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

7.7.2 Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

7.7.3 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

7.7.4 Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.

7.7.5 An informative is recommended with any approval to ensure that the development strives to achieve these objectives. Further details regarding an electric vehicle charging point is also recommended with any approval.

7.8 Trees – Unacceptable

7.8.1 Policy 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

7.8.2 Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.

7.8.3 The Council's Tree officer has reviewed the scheme and advised that the design and access does not appear to have respected existing tree features and that the design and access needs to be reviewed to best allow for tree retention. It is commented that to allow such a high amount of tree loss at the site would conflict with local policy objectives and the proposed new access and associated hard landscaping is considered overbearing.

7.8.4 On balance, given the number of trees that will be lost from the scheme and that there will be little opportunity to offset this in any future landscape scheme, the development is considered over scaled for the site and does not respect the existing tree constraints.

7.9 CIL

7.9.1 The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

8 CONCLUSION

8.1 Taking into account the above assessment the proposed development by reason of its size, scale, height, massing and bulky design represents a visually obtrusive and inappropriate overdevelopment of the site which would be detrimental to the scale, context, form and layout of the locality resulting in significant harm to the character and appearance of the area and surrounding development and would be harmful to the residential and private amenities of neighbouring property and visual amenities of the area.

8.2 The proposed development by reason of siting and proximity to neighbouring buildings and property boundaries would have a serious and adverse overbearing effect on the residential amenity enjoyed by the occupants of neighbouring property to the flank boundaries.

8.3 The proposed development by reason of increased intensity of overlooking to the front and rear of the building from multiple units large windows and external balconies, due to close proximity to neighbouring buildings and property boundaries, would have a serious and adverse effect on the privacy and amenity enjoyed by the occupants of neighbouring property.

8.4 The proposed development would fail to provide a satisfactory layout and standard of good quality accommodation for future occupiers by reason of poor internal flat layout arrangements and poorly identifiable entrance approaches.

8.5 The development at the scale proposed fails to take particular account of the impact to and wellbeing of existing trees on the site and on adjoining land and the quality and character of the local landscape, which in the interests of visual amenity are considered desirable to be retained to a greater extent.

8.6 In respect of the Council's 5 year housing land supply and the Inspectors conclusions surrounding the recent appeal outlined within the 'principle' section above, paragraph 11d (ii) of the Framework would be applicable. In this case, when weighing up benefits of the development and the Inspectors conclusions surrounding the 2019 appeal on this site, it is considered that the identified harm arising from the proposal would significantly and demonstrably outweigh the benefits of the development. Therefore, in the planning balance the proposal is not considered to be acceptable.

8.7 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: Application Refused

On the following grounds:

1. The proposed development by reason of its size, scale, height, massing and bulky design represents a visually obtrusive and inappropriate overdevelopment of the site which would be detrimental to the scale, context, form and layout of the locality resulting in significant harm to the character and appearance of the area and surrounding development and would be harmful to the residential and private amenities of neighbouring property and visual amenities of the area contrary to Policies 1, 4, 8 and 37 of the Bromley Local Plan and Policies 3.4, 7.4 and 7.6 of the London Plan.

2. The proposed development by reason of siting and proximity to neighbouring buildings and property boundaries would have a serious and adverse overbearing effect on the residential amenity enjoyed by the occupants of neighbouring property to the flank boundaries contrary to 4, 8 and 37 of the Bromley Local Plan and Policies 7.4 and 7.6 of the London Plan.

3. The proposed development by reason of increased intensity of overlooking to the front and rear of the building from multiple units large windows and external balconies, due to close proximity to neighbouring buildings and property boundaries, would have a serious and adverse effect on the privacy and amenity enjoyed by the occupants of neighbouring property contrary to Policies 4 and 37 the Bromley Local Plan and Policies 7.4 and 7.6 of the London Plan.

4. The proposed development would fail to provide a satisfactory layout and standard of good quality accommodation for future occupiers by reason of poor internal flat layout arrangements and poorly identifiable entrance approaches contrary to Policies 4 and 37 of the Bromley Local Plan and Policies 3.5, 7.4 and 7.6 of the London Plan.

5. The development at the scale proposed fails to take particular account of the impact to and wellbeing of existing trees on the site and on adjoining land and the quality and character of the local landscape, which in the interests of visual amenity are considered desirable to be retained to a greater extent contrary to Policies 37 and 73 of the Bromley Local Plan and Policy 7.21 of the London Plan.

Any other reasons for refusal considered necessary by the Assistant Director of Planning

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Agenda Item 4.4

Committee Date	21.1.2021	
Address	7 Manor Place Chislehurst BR7 5QH	
Application Number	20/03691/FULL6	Officer – Robin Evans
Ward	Chislehurst	
Proposal	Demolition of conservatory. Erection of part single storey/part two storey/part first floor side, rear and front extensions, re-pitched and raised roof to form first floor and roof accommodation, integral garage and elevational alterations.	
Applicant Mr & Mrs D Spookes	Agent MR David Sullivan	
7 Manor Place Chislehurst BR7 5QH	Lantarna The Pinnock Pluckley TN27 0SP	
Reason for referral to committee	Call-In	Councillor call in Yes

RECOMMENDATION	Application Refused
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<p>KEY DESIGNATIONS</p> <p>Conservation Area: Chislehurst</p> <p>Biggin Hill Safeguarding Area</p> <p>London City Airport Safeguarding</p> <p>Smoke Control SCA 16</p>
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Representation summary	Neighbour letters sent 15/10/2020 and 19/10/2020 Site notice placed 3/11/2020 Newspaper advert published 28/10/2020
Total number of responses	3
Number in support	0
Number of objections	2

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would detract from the character and appearance of the site and the Conservation Area.
- The proposal would detract from the amenities of neighbouring residents.

2. LOCATION

- 2.1 The application site is No. 7 Manor Place, Chislehurst, a detached two storey chalet style dwelling located on the western side of the south western spur of the highway. The land is predominantly level with boundaries marked by a mixture of trees, hedges and fencing. The original dwelling appeared to be a relatively modest chalet style dwelling with front and rear dormer windows set at an angle to the highway, and it has been extended with single storey extensions on each side including a double garage and a rear conservatory in total measuring approximately 201sqm. The application site lies within a residential area characterised mainly detached dwellings of various designs and styles generally set in spacious plots. Some dwellings have been enlarged and others have been replaced including some nearby to No. 7. The dwelling is not locally or statutorily listed and does not lie within an Area of Special Residential Character however the site lies within the Chislehurst Conservation Area Sub-unit 12 Manor Park, Prince Consort Drive and subsidiary streets. It lies within the suburban area however it directly abuts the Metropolitan Green Belt to the west.
- 2.2 Sub-unit 12. Manor Park, Prince Consort Drive and subsidiary streets
These streets, and those branching from them, are characterised by large contemporary houses on spacious plots set amongst mature trees. Some earlier buildings are retained amongst the later development (such as The Old House off Manor Place, along with a lodge house and gates), providing important reminders of the earlier forms of settlement. Given that these streets are not through routes and are not visible from the key parts of the Conservation Area, the retention of its wooded setting provides a supportive backdrop, which performs a useful subsidiary role within the Conservation Area. The protection of mature trees and remnant early buildings and their settings are encouraged, along with ongoing establishment of trees, with preference for broad-leafed species, to enhance the wooded setting.



Fig 1. Site location plan.



Photo 1. Front elevation (with No. 6 pictured to the left).



Photo 2. Front elevation (garage) and north boundary with No. 8 pictured to the right.



Photo 3. Aerial photo looking north west.

3. PROPOSAL

- 3.1 Planning permission is sought for demolition of conservatory, erection of part single storey/part two storey/part first floor side, rear and front extensions, re-pitched and raised roof to form first floor and roof accommodation, integral garage and elevational alterations measuring approximately 212sqm in total. Since the initial submission the Applicant has submitted revised existing and proposed ground floor plans clarifying distance(s) to the boundary(ies).

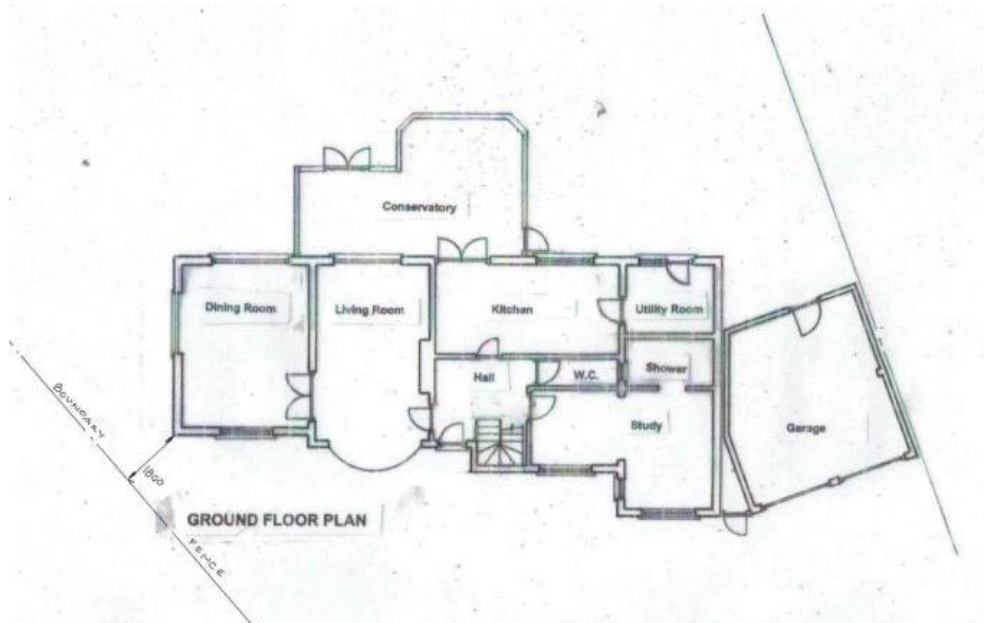


Fig 2. Existing ground floor plan.



Fig 3. Existing elevations.

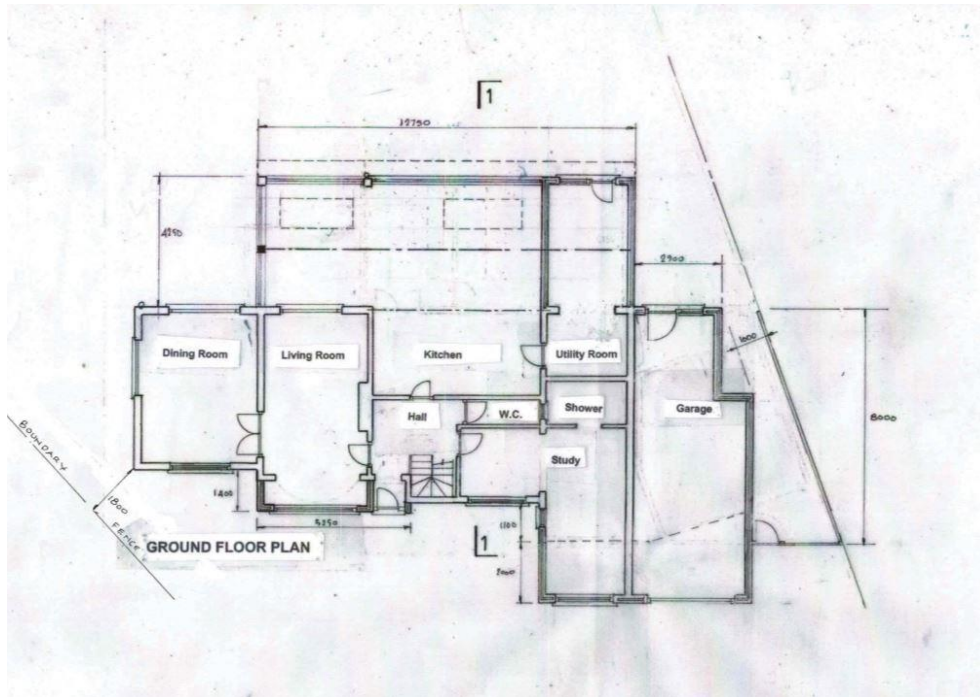


Fig 4. Proposed ground floor plan (annotated).



Fig 5. Proposed elevations.

4. RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 89/01521/FUL – Erection of single storey side extension was approved on 12 October 1989.
- 4.3 05/02190/FULL6 – Erection of single storey rear extension was approved on 27 July 2005.
- 4.4 12/00315/FULL6 – Erection of single storey front/side extension was approved on 26 April 2012.

5. CONSULTATION SUMMARY

A) Statutory

- 5.1 Conservation Officer: According to historic maps the dwelling appears to date from after 1945 and in itself has neutral significance in the Conservation Area and there is no objection in principle to its extension/alteration. However, it is visually low key, and the proposal would overwhelm the modest and attractive house and would increase its dominance in the plot and in the road and it would therefore be inappropriate in the Conservation Area, and would harm to the designated heritage asset according to the NPPF.
- 5.2 Highways: This part of the highway is a private road where the Council is not the highway authority. Nonetheless, as a result of the development, there would appear to remain sufficient space for parking within the site and/or in the proposed garage.

B) Local Groups

- 5.3 N/A

C) Neighbouring Occupants

- 5.4 Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:
- 5.5 Objections
- 5.5.1 General
- The proposal includes the demolition of the garage as well as conservatory,
 - The drawings do not show detailed dimensions and the size of the development is unclear,
 - No objection to extensions providing they are in keeping and do not harm neighbouring properties,
 - The Chislehurst Society should be consulted,
 - The application should be determined by the Planning Committee,
- 5.5.2 Design and Conservation Area
- The application site lies within the Conservation Area; characterised by spacious plots,
 - Other extensions/re-developments are sensitively designed and proportionately sized,
 - The proposal would be excessive in size; overdeveloping the plot and out of keeping within the area,
 - The proximity (1m from the boundary) and size of the development would reduce existing spacing and would appear cramped in between Nos. 7 and 8,
 - It is not clear whether existing trees would be retained as they would soften the appearance,

5.5.3 Neighbouring amenities

- Existing single storey extensions at No. 7 do not overshadow neighbouring properties,
- Existing dwellings with greater spacing, e.g. No. 12 a “Huf Haus”, already overshadow neighbouring properties/gardens,
- The proximity and size of the two storey extensions would overshadow neighbouring properties (No. 8),
- The two-storey side extensions would overlook neighbouring properties adjacent and opposite (assuming removal of trees),
- The raised roof and any future roof light windows would overlook neighbouring properties,

6. POLICIES AND GUIDANCE

6.1 National Policy Framework 2019

6.2 NPPG

6.3 The London Plan 2016

7.4 Local character

7.6 Architecture

7.8 Heritage assets and archaeology

6.4 Intend to Publish London Plan (ItPLP) 2020

6.4.1 An updated ‘Intend to Publish’ version of draft London Plan – entitled Publication London Plan December 2020 - was published on 21 December 2020. This version of the draft plan includes changes made by the Mayor in response to a number of Directed Changes made by the SoS in March and December 2020. The relevant documents are available on the Mayor’s website - <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/publication-london-plan>

6.4.2 The draft new London Plan (December 2020) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.

6.4.3 The draft New London Plan is at a very advanced stage; in a Written Ministerial Statement dated 15/12/2020, the SoS indicated that he expects to agree the London Plan with the Mayor early in the new year (early 2021).

The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.

- 6.4.4 Prior to issuing further Directed Changes in December 2020, the SoS (in two SoS call-in appeals in the Royal Borough of Kensington and Chelsea, appeal ref: APP/C5690/W/18/3205926; and the London Borough of Hounslow, appeal ref: APP/G6100/V/19/3226914) had established that the draft London Plan policies are capable of having significant weight where they weren't subject to Directed Changes.
- 6.4.5 Considering this information against paragraph 48 of the NPPF, the draft new London Plan (December 2020 'Intend to Publish' version) is considered to have very significant weight where there are no Directed Changes to policies; and significant weight where there are Directed Changes to policies. Taking this into account, the draft new London Plan policies should be used to determine this planning application, alongside policies in the adopted Local Plan and adopted London Plan. Where there is conflict between the policies in the draft new London Plan and the policies in the adopted Development Plan, the draft new London Plan should generally be given primacy although this may vary from case to case.
- 6.4.6 Upon adoption of the new London Plan, it will become the most up-to-date Development Plan Document for the London Borough of Bromley, and therefore, in accordance with section 38(5) of the Planning and Compulsory Purchase Act 2004, "if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan."
- 6.4.7 Where specific draft London Plan policies have been given particular weight in the determination of this application, this is discussed in this report.

Draft London Plan

D4 Delivering good design
 G7 Trees and woodlands
 HC1 Heritage conservation and growth
 T6 Car parking

6.5 Bromley Local Plan 2019

6 Residential Extensions
 8 Side Space
 30 Parking
 37 General Design of Development
 41 Conservation Areas
 43 Trees in Conservation Areas
 73 Development and Trees

6.6 Bromley Supplementary Guidance

SPG1 – General Design Principles
 SPG2 – Residential Design Guidance
 Chislehurst Conservation Area SPG 2001

7. ASSESSMENT

- 7.1 The main issues to be considered in respect of this application are:

- Procedural matters
- Design and landscaping
- Heritage Impact
- Neighbouring amenity
- Highways

7.2 Procedural matters

- 7.2.1 Notwithstanding representations received The Chislehurst Society is not a consultee of the Council, although notwithstanding this anyone may track planning applications on the Council's planning register, view the application details and comment on them if they wish, whether they have been formally notified or consulted.
- 7.2.2 Notwithstanding representations received the application drawings are drawn to scale and can be measured, and the application details are adequate to determine the application.

7.3 Design and landscaping – Unacceptable

- 7.3.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 7.3.2 London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.3.3 Policies 6, 37 and 73 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions, are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development including trees and landscaping that contribute towards the character and appearance of the area.
- 7.3.4 As mentioned, the original dwelling was a relatively modest chalet bungalow set within a spacious plot and according to the planning history it has been extended to each side and the rear; totalling approximately 201sqm. Although the extensions are fairly substantial, they are single storey in height and maintain space to the sides at upper floor level thereby maintaining space between the dwellings on each side and the spatial standards of the area. Many of the dwellings in Manor Place remain the original chalet bungalows however others have been extended and some replaced. Nonetheless, they also provide space to their boundaries and neighbouring properties.
- 7.3.5 Local Plan Policy 8 requires a 1m minimum Side Space at upper floor level in some areas where higher standards of separation exist, such as in more spacious

Conservation Areas, proposals should provide more generous side space in order to maintain those standards and respect the character in those areas.

- 7.3.6 The proposal would place a full height first floor over the existing chalet dwelling and substantial two storey side extensions; totalling approximately 413sqm and thereby more than doubling the size of the existing dwelling. According to the drawings the proposed side extension to the southern elevation would measure approximately 1.8m from the boundary with No. 6 and the proposed side extension to the northern elevation would measure approximately 1m from the boundary with No. 8. The size and scale of the proposed extensions combined with the angled orientation of the plot would cause the building to appear to span the width of the plot. The 1m side space to the northern side boundary with No. 8 would be insufficient and notwithstanding the greater side space to the southern boundary with No. 6 given the orientation of the plot and the perspective together with the size of the extension this separation would also appear insufficient in this case; and it would diminish the space around the dwelling and would appear to enclose the existing spaces between the neighbouring dwellings, thereby leading to a cramped and overbearing appearance in this part of the street and the Conservation Area. Overall, the proposal would appear excessive in size in relation to the existing dwelling and would dominate the plot. It would also have the effect of overpowering the more diminutive size and scale of the chalet style dwelling at No. 6.
- 7.3.7 The architectural design itself would be more modern/contemporary than the existing traditional chalet dwelling however there is a range of styles and designs in the area; including a replacement dwelling Huf Haus at No. 10, and as such this would not be unacceptable in principle. The design and materials could be managed by planning condition in the event that planning permission is granted.
- 7.3.8 The proposal would not appear to directly result in the removal of or encroachment towards significant or prominent trees or other vegetation important to the character and appearance of the area and Conservation Area. Nonetheless, important trees; particularly those in the frontage, could be protected during the construction process by condition in the event that planning permission is granted.

7.4 Heritage Assets – Unacceptable

- 7.4.1 The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.
- 7.4.2 Paragraph 196/197 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated

heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 7.4.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 7.4.4 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 7.4.5 As mentioned above the siting, size and scale of the proposal would appear to occupy the width of the plot and reducing the space; having a cramped and overdeveloped appearance. It would be harmful to the character and appearance of the site and its setting within the street scene and detracting from the spacious and sylvan character in this part of the Chislehurst Conservation Area Sub-unit 12 and the Council's Conservation Officer objects on this basis.

7.5 Neighbouring amenity – Unacceptable

- 7.5.1 Policy 37 of the BLP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 7.5.2 According to site observations the neighbouring dwelling at No. 6 is a chalet style dwelling similar to No. 7 and it is positioned at a right angle to No. 7, although No. 7 does not currently project directly in front of No. 6 and in any event it is mostly single storey. As mentioned, the proposal would place a full height first floor on the existing building and replace the existing single storey side elements with more substantial two storey side extensions. Although the dwelling may not be positioned directly in front of No. 6 given the close proximity of approximately 2.5m at the closest point, the orientation and general relationship, the size and scale of these additions would detract to a certain degree from the outlook of No. 6 and potentially have some harmful overshadowing, and some weight is attributed to this. No. 8 is positioned more alongside No. 7 however it is angled and set slightly forward of No. 7. As such the main bulk of the proposed development would be positioned at the side of No. 8 however the proposed two storey side and rear elements would project closer to No. 8 and the rear element would project more significantly beyond the rear of No. 8. Taking into account the proximity of the resulting dwellings, their orientation and set back, the proposed additions would have some additional harmful effect on the outlook of No. 8 and given the orientation and sun path would lead to some additionally harmful overshadowing. Although the development may be visible from other neighbouring properties it would be sufficiently well removed

from them that it would not have a significantly more harmful impact on their outlook or direct daylight than the existing situation.

7.5.3 The main outlook of the development would continue to be to the front and rear where, notwithstanding a greater number of windows in those elevations, any additional overlooking would not be significantly more harmful than the existing arrangement which is not unusual in a residential area in any event. The additional upper floor side flank windows would either serve non-habitable rooms or they would be secondary windows to habitable rooms and they could be fitted with obscure glazing and restricted opening casements in the interest of preserving neighbouring privacy without harming the living environment of the occupants within the new development.

7.5.4 Having regard to the scale, siting, separation distance, orientation, of the development; combined with existing boundary treatment, the proposed development would result in a harmful loss of neighbouring residential amenity with particular regard to light and outlook.

7.6 Highways – Acceptable

7.6.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.6.2 The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

7.6.3 London Plan and BLP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and BLP should be used as a basis for assessment.

7.6.4 Although the proposal would remove the existing double garage it would continue to provide a single garage of reasonable dimensions and forecourt space for on-site parking. Furthermore, the Council is not the highway authority in this private road in any event and there is no objection from the Council's Highway Department.

7.7 CIL

7.7.1 The Mayor of London's CIL is a material consideration. CIL is payable on this application.

8. CONCLUSION

8.1 Having had regard to the above the proposal would comprise an overdevelopment of the site; would lead to a cramped appearance failing to respect the high spatial standards of the area, to the spacious and sylvan character and appearance of the Conservation Area and heritage assets, and would detract from the outlook and

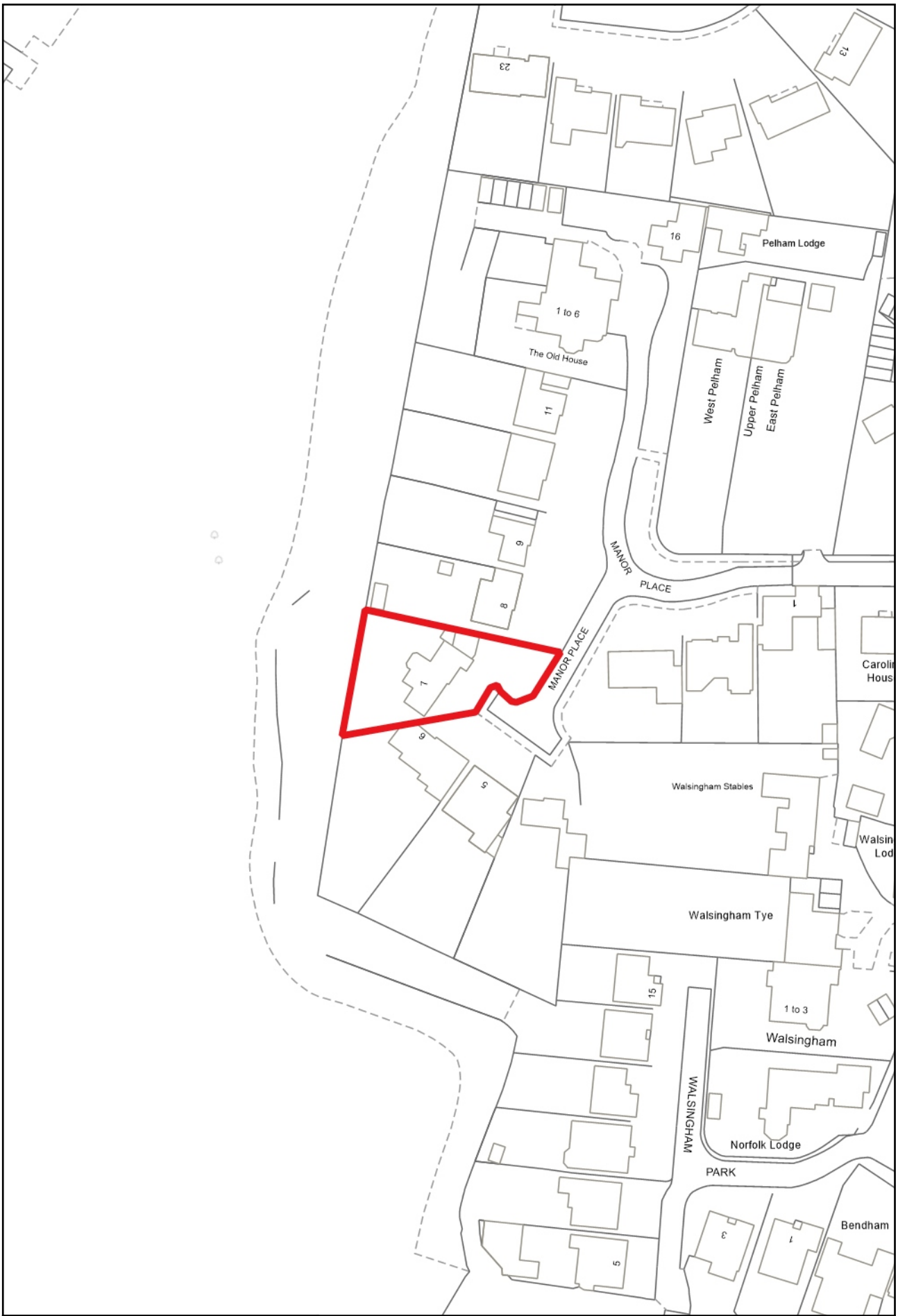
sunlight/daylight of the adjoining neighbouring properties and for these reasons it would be unacceptable and is recommended for refusal.

- 8.2 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.



RECOMMENDATION: APPLICATION REFUSED

The reasons for refusal are:

1. The siting, scale and form of the proposed development would appear excessive in size in relation to the existing dwelling, it would fail to respect or maintain the high spatial standards of separation between buildings which already exist in this spacious residential Conservation Area, resulting in a cramped and overdeveloped appearance adversely impacting the character and appearance of the host building. The proposal would detract from the character and appearance of the local area including the defining characteristics of this part of the Chislehurst Conservation Area as designated heritage asset contrary to Policies 8, 37, 38, 41, 43 and 73 of the Bromley Local Plan 2019 and the Chislehurst Conservation Area SPG 2001.
2. The siting, proximity to the neighbouring properties, the size and scale of the proposed extensions would be harmful to the outlook and visual amenities and would cause harmful overshadowing to the neighbouring properties at Nos. 6 and 8 Manor Close contrary to Policies 6 and 37 of the Bromley Local Plan 2019.

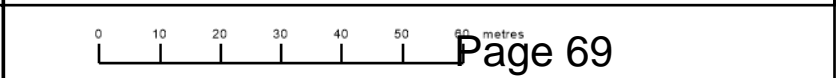


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 20/03691/FULL6- 7 Manor Place
 Chislehurst
 BR7 5QH
 

12 January 2021

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Agenda Item 4.5

Committee Date	21.01.2021		
Address	10 Silverdale Road Petts Wood Orpington BR5 1NJ		
Application Number	20/04071/FULL6	Officer - Nicholas Trower	
Ward	Petts Wood And Knoll		
Proposal	Demolition of existing garage and construction of a single storey side/rear extension and part front garage extension with new pitched roof to form front porch canopy. Alterations to existing patio with new access steps and retaining wall		
Applicant	Agent		
Mr & Mrs Scutts	Mr Jon Bale		
10 Silverdale Road Petts Wood Orpington BR5 1NJ	3 Rice Parade Fairway Petts Wood BR5 1EQ		
Reason for referral to committee	Councillor call in		
	Call-In		Yes

RECOMMENDATION	Application Permitted
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<p>KEY DESIGNATIONS</p> <p>Area of Special Residential Character Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 4</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)

Existing	C3	114.74 (including garage)
Proposed	C3 (no change proposed)	146.51 (including garage)

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	2 (including garage)	1	-1 (existing off-street parking space to be retained)
Disabled car spaces	0	0	0
Cycle	0	0	0

Electric car charging points	0
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Representation summary	Neighbour letters issued - 12.11.2020	
Total number of responses	1	
Number in support	0	
Number of objections	0 (one general comment received)	

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- Proposed development would not have a detrimental impact on design of host building and would not overdevelop the site;
- Proposed development would not have a detrimental impact on the spatial standards or visual amenity of the Area of Special Residential Character;
- No unacceptable impact would arise to neighbouring occupiers;
- No unacceptable highways impacts would arise; and
- No detrimental impact on trees to rear of site.

2. LOCATION

2.1 The application site comprises a two storey semi-detached dwellinghouse located on the south-eastern side of Silverdale Road, Petts Wood. The property, which is not listed, is subject to two Article 4 Directions and lies within the Petts Wood Area of

Special Residential Character (ASRC). There is a group Tree Preservation Order (TPO) on trees at the rear of the site.

2.2 Site Location Plan:

SITE LOCATION PLAN (SCALE 1:1250)



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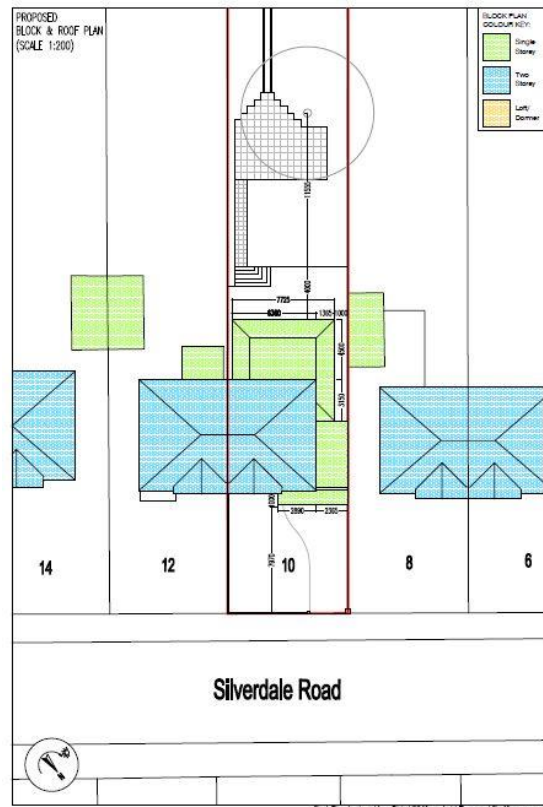
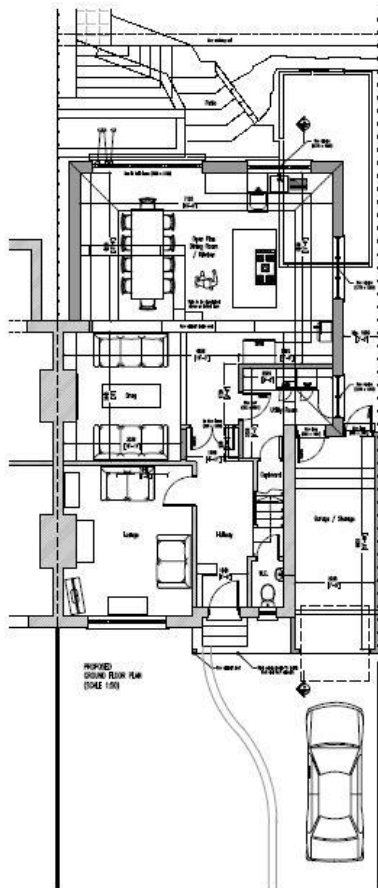
3. PROPOSAL

- 3.1 The application seeks planning permission for a single storey front, side and rear extension, front porch canopy and alterations to patio with new access steps and retaining wall.
- 3.2 The proposed front extension will measure approximately 1.0m in depth and 2.4m in width. It is proposed for the front extension to have a pitched roof which will measure approximately 3.5m in height. This pitched roof will extend to sit above the front entrance forming an open porch canopy.
- 3.3 The side extension will measure approximately 2.3m in width for a depth of 5.2m. The extension will then narrow towards the rear to a width of approximately 1.3m for a further depth of 3.1m before wrapping around the host dwelling and projecting to the rear. This element of the proposed will have a part flat/part pitched roof. The flat roof will measure approximately 2.8m in height and the pitched roof will have a maximum height of 3.4m.

3.4 The rear extension will measure approximately 4.5m in depth, 7.7m in width and 3.4m in height at its maximum.

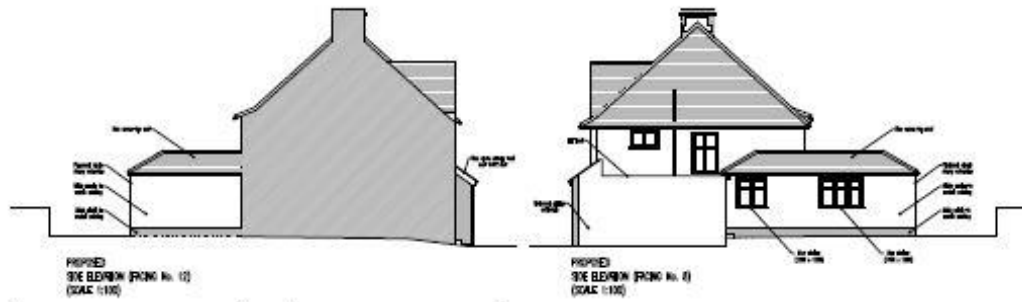
3.5 Proposed plans and elevations:

3.5.1 Proposed floor and block plans



3.5.2 Proposed elevations





4. RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 01/01872/FULL1 - Single storey side and rear extensions; side dormer extension – Application Permitted.
- 4.3 05/00299/FULL6 - Single storey side and rear extension and rear dormer extension, plus alterations to roof for loft conversion – Application Permitted

5. CONSULTATION SUMMARY

A) Statutory

Highways: The development will result in the loss of one parking space by demolition of the existing garage and construction of a single storey side extension. This will leave just 1 space within the site's curtilage. Please ask the applicant to create an additional space for the second car in the front garden and submit it for highway planning approval.

- Please note that internal observations, when not statutory, will only be addressed in the body of the report to avoid repetition.

B) Adjoining Occupiers

General Comments Received (paras 7.2.4 – 7.2.6):

- I would object to side windows being fitted with clear glass.
- In view of the ground level being higher than No.8 and the closer proximity to my boundary fence I would expect windows to be fitted with frosted glass.
- I do not want my boundary fence to be taken down.
- Adequate drainage should be provided to the rear of the existing garage which may be subject to flooding.

Please note that the above is a summary of representations received and that the full text can be found on the Council's website.

6. POLICIES AND GUIDANCE

- 6.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.
- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.
- 6.3 The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.
- 6.4 An updated 'Intend to Publish' version of draft London Plan – entitled Publication London Plan December 2020 - was published on 21 December 2020. This version of the draft plan includes changes made by the Mayor in response to a number of Directed Changes made by the SoS in March and December 2020. The relevant documents are available on the Mayor's website - <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/publication-london-plan>
- 6.5 The draft new London Plan (December 2020) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.
- 6.6 The draft New London Plan is at a very advanced stage; in a Written Ministerial Statement dated 15/12/2020, the SoS indicated that he expects to agree the London Plan with the Mayor early in the new year (early 2021).
- 6.7 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.
- 6.8 Prior to issuing further Directed Changes in December 2020, the SoS (in two SoS call-in appeals in the Royal Borough of Kensington and Chelsea, appeal ref: APP/C5690/W/18/3205926; and the London Borough of Hounslow, appeal ref: APP/G6100/V/19/3226914) had established that the draft London Plan policies are capable of having significant weight where they weren't subject to Directed Changes.
- 6.9 Considering this information against paragraph 48 of the NPPF, the draft new London Plan (December 2020 'Intend to Publish' version) is considered to have very significant weight where there are no Directed Changes to policies; and

significant weight where there are Directed Changes to policies. Taking this into account, the draft new London Plan policies should be used to determine this planning application, alongside policies in the adopted Local Plan and adopted London Plan. Where there is conflict between the policies in the draft new London Plan and the policies in the adopted Development Plan, the draft new London Plan should generally be given primacy although this may vary from case to case.

Upon adoption of the new London Plan, it will become the most up-to-date Development Plan Document for the London Borough of Bromley, and therefore, in accordance with section 38(5) of the Planning and Compulsory Purchase Act 2004, “if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.”

The application falls to be determined in accordance with the following policies:

6.10 National Policy Framework 2019

6.11 The London Plan

6.13 Parking
7.4 Local character
7.6 Architecture

6.11 Draft London Plan

D4 Delivering Good Design
T6 Car Parking
T6.1 Residential Parking

6.12 Bromley Local Plan 2019

6 Residential Extensions
30 Parking
32 Road Safety
37 General Design of Development
44 Areas of Special Residential Character
73 Development and Trees

6.13 Bromley Supplementary Guidance

Supplementary Planning Guidance 1 - General Design Principles
Supplementary Planning Guidance 2 - Residential Design Guidance
Article 4 Directions - Petts Wood ASRC

7. ASSESSMENT

7.1 Design – Acceptable

- 7.1.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 7.1.2 Paragraph 124 of the NPPF (2019) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.1.3 Paragraph 127 of the NPPF (2019) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.1.4 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.5 The host dwelling falls within the Petts Wood ASRC. The original plans for Petts Wood date from the late 1920s and early 1930s. While the houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern. Today the layout remains largely intact.
- 7.1.6 The Petts Wood ASRC entry within the Bromley Local Plan sets out that the regularity of front building and rear building lines, the consistency in the front roof lines largely untouched by roof extensions or conversions and the symmetry between pairs and neighbouring pairs of houses are of importance in defining the character of the area.
- 7.1.7 The ASRC has an open, suburban and semi-rural feel, predicated by low boundaries and visible front gardens set back from the road as well as the width of the separation between the houses which is of a particularly high standard. This

allows many of the trees and greenery which prevail throughout the area to be seen from the street. Large rear gardens also provide the area with a high level of amenity. The plot sizes, the alignment of the houses to the Garden Suburb principle underline the character, rhythm, symmetry and spatial standards of the ASRC.

- 7.1.8 The single storey front extension will project approximately 0.7m forward of the host dwellings main front elevation. The extension will retain a separation distance of 7.9m from the public highway which will ensure a suitable front garden area is retained. The extension would have a pitched roof which is also proposed to sit above the front entrance forming an open porch. The depth and height of the front extension would be subservient to the main dwelling and would not result in an overdevelopment of the site. Insofar as possible the proposed materials will match those of the host property which would be complementary and compatible with the application site and developments in the surrounding area.
- 7.1.9 It is noted that a large number of properties within Silverdale Road have extended forward of the front building line through the addition of garage or front porch extensions. There are also several examples within the immediate area of properties which have carried out similar types of development to the proposed, such as Nos.5, 6, 7 and 11. It is recognised that a number of these extensions took place prior to the adoption of the ASRC however their existence is considered to form part of the character of Silverdale Road. Taking into account the existence of these extensions, and the separation distance that would be retained from the front boundary of the site, it is not considered that the development would have a detrimental impact on the pattern of development or spatial standards of the area or be at odds with the objectives of the ASRC. It is also recognised that the adjoining dwelling, No.12, has not been extended to the front or side other than through the addition of an open porch. Taking into account the height, width and design of the proposed front extension it is not considered that the development would lead to an unbalancing of the semi-detached pair. It is therefore considered that this element of the proposed will not harm the character of the ASRC or the streetscene in general.
- 7.1.10 The size, scale and bulk of the side and rear extensions would not significantly alter the appearance of the host dwelling and would ensure a suitable level of amenity space is retained at the rear of the site. The proposed height and depth of the extensions would be subservient to the main dwelling and would not result in an overdevelopment of the site as a whole. Insofar as possible the proposed materials will match those of the application property which would be complementary and compatible with the application site and developments in the surrounding ASRC. The extensions would not be widely visible from the street and, taking into account the proposed design and materials, it is not considered that this element of the proposed would be harmful to the character of the ASRC or the streetscene in general.
- 7.1.11 It is proposed to enlarge the rear patio area by approximately 3.9m providing a retaining wall with a height of 1.1m and new access steps to the garden. The retaining wall will sit at a similar height to the existing wall and it is not considered that the enlargement of the patio area would have a detrimental impact on the appearance of the host dwelling or wider ASRC.

7.1.12 Having regard to the form, scale, siting and proposed materials it is considered that proposed development would complement the host property and would not result in a detrimental impact upon the spatial standards and visual amenity of the ASRC.

7.2 Neighbouring Amenity – Acceptable

7.2.1 Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

7.2.2 The ground floor rear extension will project along the boundary with No.12, which sits to the north of the host dwelling. It is noted that this neighbouring property currently benefits from a conservatory which measures approximately 2.3m in depth. The proposed development will extend a further 2.2m in depth past the rear wall of No.12 and will sit approximately 0.3m from the boundary. While this element of the proposed would have some impact on the light and outlook of No.12 it is not considered that this would be adverse enough to warrant a refusal of the application when the existing arrangement of the properties is taken into account along with the height and depth of the development.

7.2.3 The front, side and rear extensions will project along the boundary with No.8 for a depth of approximately 6.2m before stepping in 1.0m and projecting a further 7.6m in depth. No.8 sits approximately 2.3m from the boundary with the host dwelling and currently benefits from a single storey rear extension which measures approximately 5.6m in depth. No.8 also benefits from a detached garage which, along with the rear extension, will work to mitigate the impact of the proposed development. Taking into account the arrangement of the two properties, along with the orientation of the site and height and depth of the proposed, it is not considered that the development would result in an adverse impact on neighbouring amenities in terms of overshadowing, loss of light or overbearing impact.

7.2.4 The proposed windows to the front and rear, because of their location and size, would not result in an increased chance of overlooking or loss of privacy to neighbouring residents over and above that which currently exists. Two windows are proposed to the side elevation of the extension and are indicated as serving the utility room and kitchen. The host dwelling currently benefits from a window and door to its ground floor flank elevation. The development will result in the side windows sitting closer to the boundary with No.8 and at a slightly higher level than the existing window. In order to protect the privacy of neighbouring occupiers a condition can be included with any permission requiring these windows to be obscurely glazed.

7.2.5 Having regard to the scale, siting and separation distance of the development, it is considered that a significant loss of amenity with particular regard to light, outlook, privacy and prospect would not arise.

7.2.6 Representations have been received raising concerns about the boundary fence being removed during construction. These concerns, while important, fall outside of the decision making process for this application and may be dealt with as a civil matter.

7.3 Highways - Acceptable

7.3.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.3.2 London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.

7.3.3 The proposed development involves the loss of the existing detached garage. The replacement garage will have a reduced depth of 0.8m when compared with what is existing due to the positioning of the proposed steps. One off street parking space will be provided within the curtilage of the site. The Council's Highways Officer has requested that an additional space is provided in the front garden. There is sufficient space available within the front garden that can be utilised for vehicle parking if required by the applicant in the future. It is therefore not considered necessary to require the applicant to provide an additional parking space in this instance. Based on the information submitted it is not considered that the development would be have an adverse impact on parking.

7.4 Development and Trees - Acceptable

7.4.1 Policy 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. Tree Preservation Orders (TPO) will be used to protect trees of environmental importance and visual amenity. Further to this the supporting text to the policy states that trees are important features of the Borough's environment and are a valuable resource for wildlife. The Council places a high priority on their retention and protection.

7.4.2 Trees positioned to the rear of the application site are subject to a TPO. The proposed development would provide a separation distance of approximately 11.5m from the closest tree. The applicants have submitted a tree survey, arboricultural impact assessment and arboricultural method statement. The Council's Tree Officer has raised no objection to the proposed development subject to the inclusion of a condition requiring the installation of tree protection measures in accordance with the submitted tree protection plan.

8. CONCLUSION

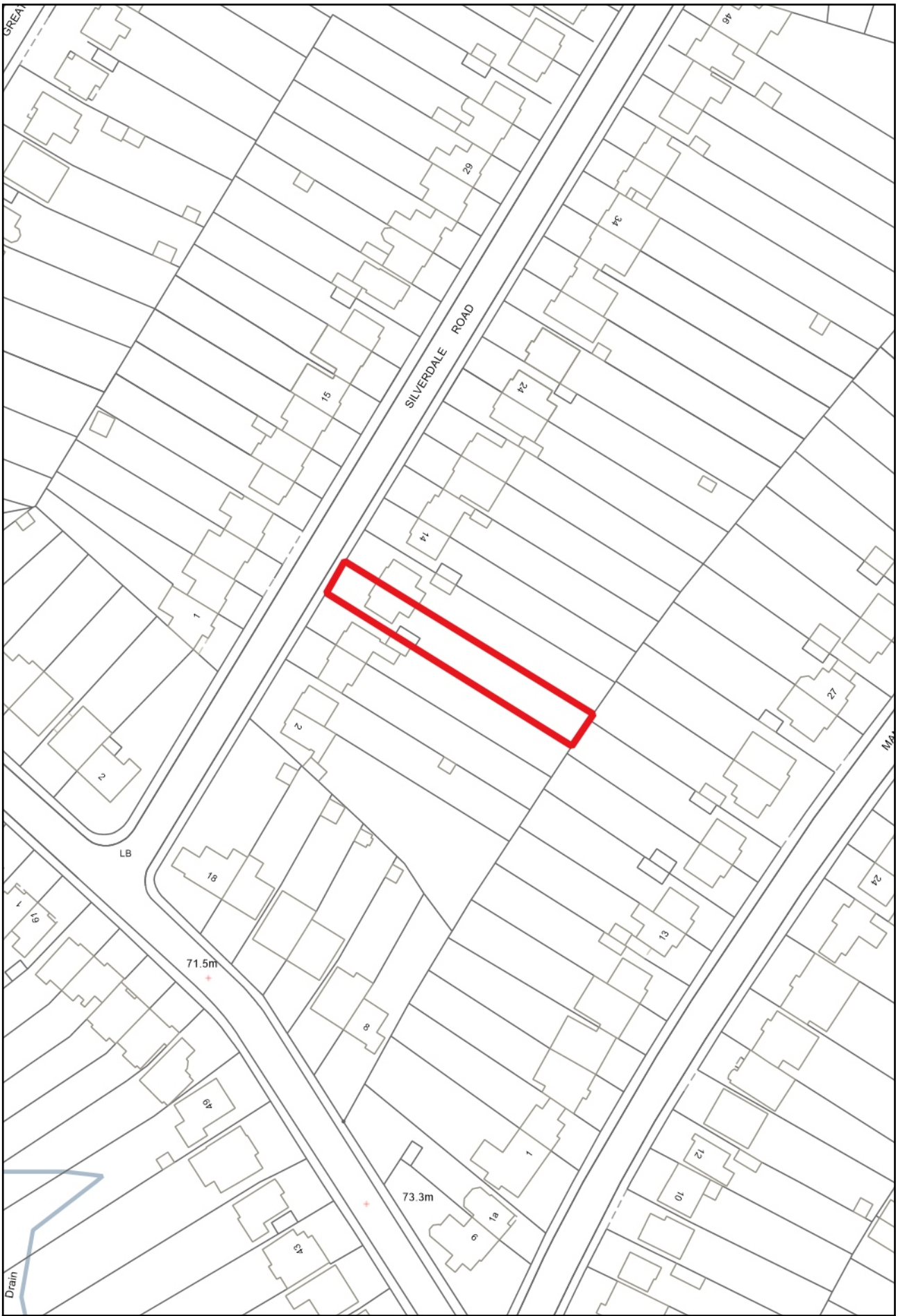
- 8.1 Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the Area of Special Residential Character.
- 8.2 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION


Subject to the following conditions:

1. Standard time limit of 3 years
2. Standard compliance with approved plans
3. Materials to match those of host dwelling
4. Tree protection measures
5. Provision of obscure glazing to ground floor side windows

Any other planning condition(s) considered necessary by the Assistant Director of Planning.



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